

REGULAR MEETING

Please be advised that California Governor Gavin Newsom has issued Executive Orders N-25-20 & N-25-21 which allows Directors to hold Board meetings telephonically. Please also be advised that all persons wishing to attend this meeting must also do so telephonically. To do so please call **(425) 436-6383, Enter Access Code 226260#** beginning at 7:00 p.m.

Members of the public wishing to submit written documents or comments may do so by emailing comments or documents to ldearing@rossmoor-csd.org.

VIA TELECONFERENCE ONLY Tuesday, May 12, 2020

7:00 p.m.

There will be no meeting held at 3001 Blume Drive, Rossmoor, CA 90720

This agenda contains a brief description of each item to be considered. Except as provided by law; no action shall be taken on any item not appearing in the agenda. To speak on an item on the agenda, you will be asked to state your name at the appropriate time when the agenda report is being discussed. To speak on a matter not appearing in the agenda, but under the jurisdiction of the Board of Directors, you may do so during Public Comments at the beginning of the meeting. When addressing the Board, it is requested but not required that you state your name for the record. Address the Board as a whole, through the President. Speakers are limited to three (3) minutes per item. The Agenda and supporting documentation is available online at: <http://www.rossmoor-csd.org>.

A. ORGANIZATION

1. CALL TO ORDER: 7:00 p.m.
2. ROLL CALL: Directors Barke, Casey, DeMarco, Nitikman
President Maynard
3. PLEDGE OF ALLEGIANCE:
4. PRESENTATIONS:
 - a. Orange County Sheriff's Department Lieutenant Gary Knutson Re: Quarterly Crime Statistics
 - b. California Highway Patrol Officer Matt Musselman Re: Quarterly Traffic Violations

B. ADDITIONS TO AGENDA – None

In accordance with Section 54954 of the Government Code (Brown Act), action may be taken on items not on the agenda, which was distributed, if:

A majority of the Board determines by formal vote that an emergency exists per Section 54956.5 (for example, work stoppage or crippling disaster which severely impairs public health and/or safety); or

Two-thirds (2/3) of the Board formally votes or, if less than 2/3 of members are present, all of the Board members present vote, that there is a need to take immediate action, which arose after the agenda was posted.

C. PUBLIC FORUM:

Any person may address the Board of Directors at this time upon any subject within the jurisdiction of the Rossmoor Community Services District; however, any matter that requires action may be referred to Staff at the discretion of the Board for a report and action at a subsequent Board meeting.

D. REPORTS TO THE BOARD:

1. ROSSMOOR COMMUNITY SERVICES DISTRICT COVID-19 RESPONSE STATUS REPORT
2. RECREATION SUPERINTENDENT QUARTERLY RECREATION STATUS AND ATTENDANCE REPORT

E. CONSENT CALENDAR:

1. MINUTES:
 - a. Regular Board Meeting of April 14, 2020—Receive and File.
2. MARCH 2020 REVENUE AND EXPENDITURE REPORT—Receive and File.

Consent items are expected to be routine and non-controversial, to be acted upon by the Board of Directors at one time. If any Board member requests that an item be removed from the Consent Calendar, it shall be removed by the President so that it may be acted upon separately.

F. PUBLIC HEARING—None

G. RESOLUTIONS—None

ORDINANCES—None

H. REGULAR CALENDAR:

1. DISCUSSION AND POSSIBLE ACTION REGARDING RENEWAL OF BREAIT SOLUTIONS AGREEMENT FOR COMPUTER SERVICES
2. FIRST READING POLICY NO. 2070 FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA)
3. PROFIT/LOSS STATUS AND EMPLOYEE STAFFING OPTIONS IN RESPONSE TO COVID-19 (CORONAVIRUS) RELATED ECONOMIC IMPACTS TO THE ROSSMOOR COMMUNITY SERVICES DISTRICT AND BUDGET REDUCTION CONSIDERATIONS

4. DISCUSSION WITH THE GENERAL MANAGER REGARDING REOPENING DISTRICT OFFICE AND RECREATION FACILITIES FOLLOWING COVID-19 (CORONAVIRUS) RELATED CLOSURES
5. REPORT TO THE BOARD FROM GENERAL COUNSEL REGARDING HOLIDAY OVERTIME STANDARDS

I. GENERAL MANAGER ITEMS:

This part of the Agenda is reserved for the General Manager to provide information to the Board on issues that are not on the Agenda, and/or to inform the Board that specific items may be placed on a future Agenda. No Board action may be taken on these items that are not on the Agenda.

J. BOARD MEMBER ITEMS:

This part of the Agenda is reserved for individual Board members briefly to make general comments, announcements, reports of his or her own activities, and requests of staff, including that specific items be placed on a future Agenda. The Board may not discuss or take action on items not on the Agenda.

K. GENERAL COUNSEL ITEMS:

This part of the Agenda is reserved for General Counsel to make comments, announcements and reports of activities that are legal in nature. The Board may not discuss or take action on items not on the Agenda.

L. CLOSED SESSION:

M. ADJOURNMENT:

It is the intention of the Rossmoor Community Services District to comply with the Americans With Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the District will attempt to accommodate you in every reasonable manner.

Please contact the District Office at (562) 430-3707 at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible. Please advise us at that time if you will need accommodations to attend or participate in meetings on a regular basis.

Pursuant to Government Code Section 54957.5, any writing that: (1) is a public record; (2) relates to an agenda item for an open session of a regular meeting of the Board of Directors; and (3) is distributed less than 72 hours prior to that meeting, will be made available for public inspection at the time the writing is distributed to the Board of Directors.

Any such writing will be available for public inspection at the District offices located at [3001 Blume Drive, Rossmoor, CA 90720](http://3001BlumeDrive,Rossmoor,CA90720). In addition, any such writing may also be posted on the District's web site at www.rossmoor-csd.org.

CERTIFICATION OF POSTING

I hereby certify that the attached Agenda for the May 12, 2020, 7:00 p.m. Regular Meeting of the Board of Directors of the Rossmoor Community Services District was posted at least 72 hours prior to the time of the meeting.

ATTEST:

DocuSigned by:

Elizabeth Dering for

22AE5BA5155F471... Date 5/8/2020

JOE MENDOZA
General Manager

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM A-4a

Date: May 12, 2020
To: Honorable Board of Directors
From: General Manager Joe Mendoza
Subject: ORANGE COUNTY SHERIFF'S DEPARTMENT LIEUTENANT
GARY KNUTSON RE: OCSD QUARTERLY CRIME
STATISTICS

RECOMMENDATION

Receive and file presentation.

BACKGROUND

The report reflects the order of presentations for your Regular May Meeting of the Board.

- a. Orange County Sheriff's Department Lieutenant Gary Knutson Re: Quarterly Crime Statistics —Receive and File.

ATTACHMENTS

1. OCSD Quarterly Crime Statistics

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM A-4b

Date: May 12, 2020
To: Honorable Board of Directors
From: General Manager Joe Mendoza
Subject: CALIFORNIA HIGHWAY PATROL OFFICER MATT
MUSSELMAN RE: QUARTERLY TRAFFIC VIOLATIONS

RECOMMENDATION

Receive and file presentation.

BACKGROUND

The report reflects the order of presentations for your Regular May Meeting of the Board.

b. California Highway Patrol Officer Matt Musselman Re: Quarterly Traffic Violations.

ATTACHMENTS - None

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM D-1

DATE: May 12, 2020

TO: Honorable Board of Directors

FROM: General Manager Joe Mendoza

SUBJECT: ROSSMOOR COMMUNITY SERVICES DISTRICT COVID-19
RESPONSE STATUS REPORT

RECOMMENDATION:

Recommendation to discuss and provide direction to staff regarding the District's current operational status in response to the COVID-19 pandemic's impact on daily operations and closure deadline extensions.

INFORMATION:

Rossmoor Community Services District (RCSD) staff has been providing service to the community in order to protect the health and well-being of our residents, essential service providers, as well as our District staff in order to mitigate the spread of COVID-19.

In March, the District began complying with the County of Orange Department of Public Health and State of California Health Orders as announced by California Governor Gavin Newsom and the State Public Health Officer. On March 30, 2020, Orange County announced that they would continue to follow the State's mandate that the order would not expire on March 31, 2020, but rather would remain in effect until further notice. The order directed all individuals to stay home except for essential services, health care or to go to an essential job.

The order to maintain social distancing practices (6 feet distance from others) also remains in effect and facial coverings are also recommended. The RCSD will continue to comply with these orders. The District and the County continue to provide essential services to the community.

In compliance with the Orange County Operational Area Emergency Operations Center (EOC), the District Board of Directors declared a local

state of emergency related to COVID-19 on March 23, 2020, and continues to post status updates and public messaging to Web EOC, as well as, capturing expenses and lost revenues that have resulted from the COVID-19 public health emergency. Staff is monitoring the resources and funding that may become available to the District through stimulus legislation.

THE RED, WHITE, BLUE AND YOU CAMPAIGN:

The City of Los Alamitos developed a campaign designed to show appreciation for the essential workers putting their own safety at risk in order to serve their communities. The Red, White, Blue and YOU campaign was also designed to encourage residents to show support to essential workers.

The Rossmoor Community Services District was invited to join this effort, along with the City of Seal Beach and the Los Alamitos Unified School District. All agencies agreed to participate and advise their respective constituents through their websites and social media channels. The District purchased a few banners, signs and flags to place at the entrances of the community and on our parks. Information was placed on the District website and social media sites to encourage our residents to join in to honor essential workers.

SUMMARY:

To date, outdoor space and restroom facilities at Rush Park and Rossmoor Park are open to the public. The community is encouraged to enjoy the open park space, while practicing social distancing. All District playgrounds, athletic fields, basketball courts, tennis courts, sand volleyball, and fitness equipment are closed.

All special event rentals at District facilities have been canceled through May 15, 2020. Staff is assisting clients by refunding their deposits and rescheduling their events. The District Office is closed to the public; however, staff continues to be available Monday – Friday from 9 a.m. to 5 p.m. to answer calls from the public that are placed to (562) 430-3707. District staff who are reporting to work sites are practicing social distancing and frequent hand washing. District staff not onsite, are completing work and training assignments by telecommuting.

We await information from the State and County regarding the phasing of re-opening. In the meantime, the General Manager has coordinated a meeting with the cities of Cypress, Los Alamitos, and Seal Beach, as well as

Los Alamitos School District representatives to discuss protocols and compare strategies for reopening.

District staff members continue to monitor developments related to COVID-19 and participate in briefings provided by the County of Orange Department of Public Health, the State of California, and the federal government.

Information about the status of District services and facilities is also posted on the District's website at www.rossmoor-csd.org. Community members are also encouraged to visit the OC Health Care Agency's website at www.ochealthinfo.com or call the OC Health Care Agency's Health Referral Line at (800) 564-8448.

The District's Board and staff are developing plans and looking forward to returning all services when public health officials indicate it is safe to do so.

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM D-2

Date: May 12, 2020

To: Honorable Board of Directors

From: General Manager Joe Mendoza
Initiated by Chris Argueta, Recreation Superintendent

Subject: RECREATION SUPERINTENDENT QUARTERLY RECREATION
STATUS AND ATTENDANCE REPORT

RECOMMENDATION

Receive and file report.

BACKGROUND

The Quarterly Recreation Report is intended to provide the Board with the status of the activities and programs being performed in the furtherance of the District's recreation program.

ATTACHMENTS

1. Quarterly Recreation Status and Attendance Report

SUMMARY

The District's Recreation Division had a busy start to the New Year.

Some of the recent accomplishments completed by the Recreation Division include:

- Overseeing Los Alamitos Girl's Softball League's use of Rush Park and Rossmoor Park for their annual Opening Day Parade and ceremonies to start off the year
- Planning with Rossmoor Homeowners Association and Rossmoor Community Services District for the Rossmoor Community Festival
- Securing stage rental and audio from Elite Special Events for the Community Festival and Concerts in the Park
- Selecting and securing movies for Movies in the Park events
- Selecting band choices for Concerts in the Park
- Scheduling Shakespeare in the Park events
- Monitoring of the Youth Center R.A.C.A.L.S after-school program at Rossmoor and Rush Parks.
- Monitoring of the Children's Garden Pre-School at Rossmoor Park
- Monitoring of the Tiny Tot program at the Montecito Center.

Late February once again marked another Opening Day for the Los Alamitos Girls Softball League spring season. Tradition continued as league participants and their parents paraded from Rossmoor School to Rossmoor Park to celebrate season commencement. League representatives as well as Rossmoor Community Services District staff were present to monitor the event. The ceremony lasted approximately 30 minutes as teams were introduced by Los Alamitos Girls Softball League President.

Prior to the COVID-19 pandemic District staff and Rossmoor Homeowners Association members were planning and coordinating for the upcoming Rossmoor Community Festival. The event was once again bringing local entertainment, a large vendor area, food trucks, and plenty of fun activities for families to enjoy throughout the day. Also planned, was a car show with trophies awarded and an always fun dog show that is a treat to watch with both the owners and dogs having fun.

All summer events had been confirmed and the Recreation Division was excited to offer a variety of no cost activities for all age ranges of the community. This year's summer events were again going to offer a double feature by combining both Concerts and Movies in the Park.

In mid-March, the RCSD decided to minimize the possible spread of the novel coronavirus to park patrons and the community by suspending activities on the parks, following recommendations from federal, state, and county health agencies. Recreation staff implemented closures of all facilities, playgrounds, courts, and fields. Public outdoor restrooms remain open with limited hours at both parks until further notice. To help reinforce social distancing and reduce large public gatherings, all of the summer events including Concerts & Movies at the Park, Shakespeare at the Park, and the Rossmoor Community Festival will be canceled. Recreation staff will be looking into possible alternatives for future dates, if and when a date is given allowing large public gatherings.

Recreation staff continues to work on the following:

- Encouraging staff to protect their own personal health
- Clean and disinfect surfaces that are frequently touched
- Posting closure signs around facilities and bulletin boards
- Caution tape areas that have been closed
- Search for additional preventive supplies for daily on-site staff

The District's Recreation Division will be continuing to use and encourage social distancing and everyday preventive actions. Staff will also be doing its best to stay current with any updated guidelines and new developments about the coronavirus.



ROSSMOOR PARK QUARTERLY ACTIVITY (JAN-MAR 2020)

	JAN	FEB	MAR	<u>LOCATION TOTAL:</u>
PLAYGROUND	1357	1339	841	3537
WALK/RUN	774	688	703	2165
TENNIS	1106	1028	661	2795
BASKETBALL	217	179	149	545
VOLLEYBALL	124	40	33	197
FIELDS 1,2,3	461	1291	666	2418
PICNIC SITE A	190	169	99	458
PICNIC SITE B	51	69	87	207
PICNIC SITE C	45	54	60	159
COMMUNITY ROOM	340	347	144	831
OTHER	378	247	309	934
<u>MONTHLY TOTAL:</u>	5043	5451	3752	14246
				<u>QUARTERLY TOTAL</u>

RUSH PARK QUARTERLY ACTIVITY (JAN-MAR 2020)

	JAN	FEB	MAR	<u>LOCATION TOTAL:</u>
PLAYGROUND	1348	1214	675	3237
WALK/RUN	922	853	700	2475
FIELDS 1,2,3	479	1056	741	2276
PICNIC SITE A	508	597	220	1325
PICNIC SITE B	362	177	53	592
AUDITORIUM	1131	1546	294	2971
EAST ROOM	1045	1160	496	2701
WEST ROOM	250	230	70	550
MONTECITO	280	240	85	605
OTHER	382	256	153	791
<u>MONTHLY TOTAL:</u>	6707	7329	3487	17523
				<u>QUARTERLY TOTAL</u>

POSSIBLE EVENT DATES 2020

*OUTSIDE EVENT OR AUDITORIUM

- August 14 – Concert In The Park
- September 11 – *Movie In The Park
- October 9 – Concert In The Park & National Night Out Event
- November 20 – *Movie In The Park
- December 11 – Rossmoor Winter Festival

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM E-1a.

DATE: May 12, 2020

TO: Honorable Board of Directors

FROM: General Manager Joe Mendoza
Initiated by Liz Deering, Administrative Assistant

SUBJECT: MINUTES: REGULAR MEETING OF APRIL 14, 2020

RECOMMENDATION:

Approve the Minutes of the Regular Meeting of April 14, 2020 prepared by the Board's Secretary/General Manager.

BACKGROUND:

The report reflects the actions of the Board at their meeting of April 14, 2020.

ATTACHMENTS:

1. Minutes-Regular Meeting of April 14, 2020.

REGULAR MEETING

Please be advised that California Governor Gavin Newsom has issued Executive Orders N-25-20 & N-25-21, which allows Directors to hold Board meetings telephonically, Please also be advised that all persons wishing to attend this meeting were invited to do so telephonically.

VIA TELECONFERENCE ONLY

Tuesday, April 14, 2020

7:00 p.m.

No meeting was held at
Rush Park, 3001 Blume Drive, Rossmoor, CA 90720

A. ORGANIZATION

1. CALL TO ORDER: 7:00 P.M.

2. ROLL CALL: Directors Barke, Casey, DeMarco, Nitikman
President Maynard

3. PLEDGE OF ALLEGIANCE: President Maynard

4. PRESENTATIONS—None

B. ADDITIONS TO AGENDA—None

C. PUBLIC FORUM—None

D. REPORTS TO THE BOARD:

1. ROSSMOOR COMMUNITY SERVICES DISTRICT COVID-19 RESPONSE STATUS REPORT

The General Manager reported that the District continues to comply with the County of Orange Department of Public Health's orders that follow the State of California Health Order of March 19, 2020 announced by California Governor Gavin Newsom and the State Public Health Officer. On March 30, 2020, Orange County announced that they would continue to follow the State's mandate that the order would not expire on March 31, 2020 but would remain in effect.

The District Office has been closed to the public since Monday, March 16, 2020; however, staff continues to be available Monday – Friday from 9 a.m. to 5 p.m. to answer calls from the public that are placed to (562) 430-3707. Out of the eleven District employees, five are working from home and District staff reporting to work sites are practicing social

distancing, frequent hand washing, and wearing gloves and masks. Discussion ensued relative to the District's operational status. The report was received and filed.

2. ROSSMOOR COMMUNITY SERVICES DISTRICT PROFIT/LOSS STATUS RELATIVE TO COVID-19

The General Manager reported due to the recent COVID-19 pandemic and the effect it has had on the Rossmoor Community Services District (RCSD), President Michael Maynard had requested a report to the Board regarding estimated revenue loss. Staff prepared a report including the actual loss of revenue for March 2020, and the anticipated loss of revenue for the months of April, May, and June. The District's largest revenue source is derived from property tax which will not immediately be affected by COVID-19 issues. The only profit recognized may be the cost savings associated with the cancellation of large events and associated equipment rentals. The District's staffing cost remains the same with a few hours being saved in part-time salaries due to the cut back in operations.

Discussion ensued. Director DeMarco stated that if the District were successful in obtaining grant money, it could help offset some of the costs. The Board requested that a more detailed profit/loss report be brought back to the board at its May 12, 2020 regular meeting, to include estimated reductions in utility expenses and board meeting videotaping expenses. Motion by Director Casey, seconded by Director Nitikman to Approve California Governor's Office of Emergency Services Form 130, Designation of Subrecipient's Agent Resolution Hazard Mitigation Grant Program and Pre-Disaster Mitigation Program. Motion passed unanimously by roll call vote, 3-0.

3. STAFF ROTATION AND PRESENTATIONS TO THE BOARD OF DIRECTORS ON A MONTHLY BASIS

The General Manager reported that at the February 11, 2020 RCSD Board of Directors meeting, President Michael Maynard requested that the General Manager review the practice of scheduling staff reports to the Board about their respective areas on a quarterly basis. In the past, staff presentations were scheduled together at a Board meeting, resulting in several reports on the same date each quarter. The General Manager provided a new staff reporting schedule for the Board's consideration. Discussion ensued relative to the quarterly reporting schedule. Director Nitikman stated that to his recollection the reports used to be on the Consent Calendar, and he was not sure he saw the value, both in overtime costs and in general, in requiring staff to attend the board meetings to report to the Board. President Maynard countered that he originally requested that the reports be removed from the consent calendar in order to highlight the good work done by staff. Director DeMarco concurred, stating that he liked seeing staff at the meetings and felt that the community liked seeing them as well. It was the consensus of the Board to adopt the proposed schedule for the time being and refer the item to the Organizational Committee for further review and recommendation. The report was received and filed.

E. CONSENT CALENDAR:

1. MINUTES:

Director DeMarco requested that Item E-1c Special Meeting of March 23, 2020 be removed from the Consent Calendar and be voted on separately.

- a. Regular Board Meeting of March 10, 2020
- b. Emergency Special Board Meeting of March 12, 2020

Motion by Director Barke, seconded by Director DeMarco, to approve Items E-1a, E-1b as submitted. Point of order by Director Barke, according to Roberts Rules of Order all teleconference votes must be taken by roll call vote. Motion passed unanimously by roll call vote, 5-0.

Point of clarification by Director Nitikman, he suggested amending the motion to include Item E-2, February 2020 Revenue and Expenditure Report, as well since it had not been pulled from the Consent Calendar.

Amended Motion by Director Nitikman, seconded by Director DeMarco, to approve Items E-1a, E-1b and E-2 as submitted. Motion passed unanimously by roll call vote, 5-0.

- c. Special Board Meeting of March 23, 2020

Motion by Director Nitikman, seconded by Director Casey, to approve Item E-1c as submitted. Motion passed unanimously by roll call vote, 3-0 with two abstentions by Director DeMarco and Director Barke, as they did not attend the meeting.

F. PUBLIC FORUM—None

G. RESOLUTIONS:

1. RESOLUTION NO. 20-04-14-01 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT REJECTION OF GOVERNMENT CLAIM

Recommendation to hold a public hearing and adopt by roll call vote, Resolution No. 20-04-14-01 by reading the title only and waiving further reading as follows:

RESOLUTION NO. 20-04-14-01 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT REJECTION OF GOVERNMENT CLAIM

The General Manager reported that a claim in the amount of \$225 has been filed by Rossmoor resident Kris Chu; residing on Oak Grove Road in Rossmoor, CA 90720 alleging damage to property caused by a parkway tree. This claim was forwarded to the Special District Risk Management Association (SDRMA) who provides insurance for the District. They are advising the District to reject this claim. The attached resolution formally rejects the tort claim.

Discussion ensued relative to the legality of electronic signatures. General Counsel Tarquin Preziosi stated that they were just as legal and valid as in-person signatures. Motion by Director Casey, seconded by Director DeMarco to approve Resolution No. 20-04-14-01 by

reading the title only and waiving further reading. Motion passed unanimously by roll call vote, 5-0.

H. REGULAR CALENDAR:

1. SELECTION OF REGULAR VOTING MEMBER AND ALTERNATE VOTING MEMBER TO THE ORANGE COUNTY LOCAL AGENCY FORMATION COMMISSION (OCLAFCO) AND DISCUSSION AND POSSIBLE ACTION REGARDING NOMINATION PROCESS FOR THE ORANGE COUNTY LAFCO REGULAR SPECIAL DISTRICT MEMBER

Information was presented regarding selecting a regular and alternate voting member to the Orange County Local Agency Formation Commission, and consideration of whether the Board wanted to submit a candidate for the Regular Special District seat. The Board would also authorize the General Manager to submit the “Declaration of Qualification to Vote” and “2020 Nomination Form” to LAFCO no later than 3:00 p.m. on Friday, May 8, 2020. The current term for the seat expires June 30, 2020.

Brief discussion ensued. Motion by Director Nitikman, seconded by Director Casey, to designate Michael Maynard as the OCLAFCO regular voting member and Mark Nitikman as the OCLAFCO alternate voting member. Motion passed unanimously by roll call vote, 5-0.

2. INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY (ISDOC) AD HOC COMMITTEE’S UPDATED LAFCO DUES REAPPORTIONMENT FOR SPECIAL DISTRICTS

The General Manager presented information about the February 24, 2020 ISDOC letter requesting that the RCSD Board vote to support or deny ISDOC’s updated LAFCO dues structure and five-year review for Special Districts.

The ISDOC Executive Committee voted unanimously to approve the Ad Hoc Committee recommendation for a new LAFCO dues structure to pay for its Special District portion of the LAFCO budget. Discussion ensued relative to the methodology. It was the consensus of the Board that the dues reapportionment was not equitable among special districts. Motion by Director Nitikman, seconded by Director Casey, to vote No and deny ISDOC’s updated LAFCO dues structure and five-year review for Special Districts and authorize the General Manager to submit the LAFCO Dues Reapportionment for Special Districts Ballot to ISDOC. Motion passed unanimously by roll call vote, 5-0.

3. DESIGNATION OF JOE MENDOZA AS THE REPRESENTATIVE OF THE BOARD OF DIRECTORS REGARDING THE SALARIES, SALARY SCHEDULES, AND/OR COMPENSATION PAID IN THE FORM OF FRINGE BENEFITS OF THE DISTRICT’S UNREPRESENTED EMPLOYEES.

Under the Brown Act, in order to hold a closed session with the District’s representative regarding the salaries, salary schedules, or compensation of its unrepresented employees, the Board of Directors must first identify its designated representative(s) in an open session (Government Code § 54957.6). Accordingly, the General Manager reported that to facilitate

the closed session, RCSD Legal Counsel advised that the Board of Directors designate the General Manager as the District's representative for this purpose.

Discussion ensued regarding precedent. General Counsel Tarquin Preziosi stated there was no precedent for this action. Motion by Director DeMarco, seconded by Director Casey, to designate General Manager Joe Mendoza as the representative of the Board of Directors regarding salaries, salary schedules, and/or compensation paid in the form of fringe benefits of the District's unrepresented employees. Motion passed unanimously by roll call vote, 5-0.

I. GENERAL MANAGER ITEMS:

The General Manager reported that he was still waiting for the California Highway Patrol's report on the stop signs on Montecito Road. He reported that the addition of illuminated stop signs was being reviewed by Orange County Public Works. He added that he would make every effort to get the County to fund the stop sign installation. He announced his plan to go out to bid on the Rush Park Parking Lot project next week and planned to move forward with stage lighting. The General Manager further announced that the City of Los Alamitos had launched a COVID-19 Red, White and Blue and You Campaign and had invited the City of Seal Beach and Rossmoor Community Services District to participate. He stated that he had set a conference call with President Maynard, Los Alamitos City Manager Chet Simmons and Seal Beach City Manager Jill Ingram to discuss the collaboration. The General Manager added that the BreaIT Solutions contract would be on the May 12, 2020 agenda along with a report on recent office hardware upgrades. He concluded that he would have an update on the upcoming County street repair project schedule for the Board in May.

J. GENERAL COUNSEL ITEMS—None

K. BOARD MEMBER ITEMS:

Director Barke had no comments.

Director Nitikman had no comments.

Director Casey commented on the County road repair delays, adding that he hoped to have a repair schedule soon. He opined that the District had done a good job of following the County and State mandates regarding COVID-19 by shutting down facilities and operations, as well as designating some District staff to work remotely by telecommuting. He added that operations were working well, everything was in place, and he wanted to make sure we did not stop too soon.

Director DeMarco inquired about the opening date for the new Rossmoor Car Wash since it was in unincorporated Orange County and part of Rossmoor. He expressed his desire to revisit the Rossmoor monument sign installation proposal for the corner of Los Alamitos Boulevard and Katella Avenue. He stated that the community stop signs needed better illumination and knows of several vendors selling solar operated LED flashing stop signs for approximately \$700, that fit over the existing pole. Director DeMarco stated that the idea required further discussion and encouraged the General Manager to proceed with his pursuit of County funding for the signage. He requested to see the COVID-19 District costs projections to the end of June. He concluded that he was happy with how the District was managing during the COVID-19 crisis and stated that

District staff was doing a great job. He appreciated them working from home and juggling multiple responsibilities.

AT APPROXIMATELY 8:30 P.M. THE BOARD ADJOURNED TO CLOSED SESSION

L. CLOSED SESSION:

1. CONFERENCE WITH LABOR NEGOTIATOR

Agency designated representatives: Joe Mendoza

Unrepresented employees: General Manager, Accountant/Bookkeeper, Administrative Assistant, Recreation Superintendent, Parks Superintendent, Arborist Consultant/Maintenance, General Clerk, Maintenance Leader and Recreation Leader.

Government Code Section 54957.6(a)

2. THREAT TO PUBLIC RIGHT OF ACCESS TO PUBLIC SERVICES OR PUBLIC FACILITIES

Consultation with General Counsel Tarquin Preziosi and General Manager Joe Mendoza.

Government Code Section 54957(a)

3. CONFERENCE WITH LEGAL COUNSEL

Consideration of discipline or dismissal of a public employee.

Government Code Section 54957(b)(1).

AT APPROXIMATELY 10:44 P.M. THE BOARD ADJOURNED TO CLOSED SESSION

General Tarquin Preziosi reported that at approximately 8:30 p.m. the Board adjourned to closed session to discuss three items: Item L-1 Conference with Labor Negotiator, Item L-2 Threat to Public Right of Access to Public Services or Public Facilities and L-3 Conference with Legal Counsel. At approximately 10:44 p.m. the Board reconvened from closed session into open session. There was no reportable action.

M. ADJOURNMENT:

Motion by Director DeMarco, seconded by Director Casey, to adjourn the regular meeting at 10:45 p.m. Motion passed 5-0.

SUBMITTED BY:

**Joe Mendoza
General Manager**

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM E-2

Date May 12, 2020
To: Honorable Board of Directors
From: General Manager Joe Mendoza
Initiated by Kathy Bell, Accountant/Bookkeeper
Subject: REVENUE & EXPENDITURE REPORT – MARCH 2020

RECOMMENDATION:

Receive and file the Revenue and Expenditure Report for March 2020.

BACKGROUND:

The Revenue & Expenditure Report is submitted on a monthly basis, as an indication of the District's unaudited year-to-date revenues and expenses. Where appropriate, footnotes provide information which explains current anomalies.

ATTACHMENTS:

1. Revenue & Expenditure Report for the month of March 2020.

REVENUE / EXPENDITURE SUMMARY REPORT
MARCH 2020 @ 75%

	Original Budget	Amended Budget	YTD Actual	Current Month	Unenc. Balance	% Budget
Revenues						
PROPERTY TAXES	1,010,370.00	1,014,695.00	664,094.29	72,839.77	350,600.71	65.4
STREET LIGHT ASSESSMENTS	356,040.00	356,040.00	227,926.12	25,368.60	128,113.88	64.0
USE OF MONEY AND PROPERTY	24,000.00	24,000.00	8,270.98	-0.02	15,729.02	34.5
OTHER GOVERNMENT AGENCIES	65,400.00	65,400.00	2,520.22	0.00	62,879.78	3.9
FEES AND SERVICES	181,000.00	181,000.00	136,296.72	6,981.25	44,703.28	75.3
OTHER REVENUE	22,000.00	36,870.00	36,885.49	270.93	-15.49	100.0
Total Revenues	1,658,810.00	1,678,005.00	1,075,993.82	105,460.53	602,011.18	64.1
Expenditures						
TRANSFER OUT - CIP FUND 40	150,000.00	75,000.00	0.00	0.00	0.00	0.0
ADMINISTRATION	816,940.00	872,625.00	607,992.90	76,332.67	264,632.10	69.7
RECREATION	45,000.00	57,600.00	42,240.63	0.00	15,359.37	73.3
ROSSMOOR PARK	103,290.00	108,388.00	80,555.37	8,222.46	27,832.63	74.3
MONTECITO CENTER	26,098.00	26,170.00	14,112.95	3,324.22	12,057.05	53.9
RUSH PARK	140,900.00	148,968.00	104,165.73	9,909.72	44,802.27	69.9
STREET LIGHTING	103,000.00	108,000.00	85,218.44	7,765.61	22,781.56	78.9
ROSSMOOR WALL	4,400.00	3,700.00	2,200.00	0.00	1,500.00	59.5
STREET SWEEPING	60,000.00	60,000.00	39,744.65	4,917.63	20,255.35	66.2
PARKWAY TREES	166,550.00	176,150.00	164,048.45	6,968.45	12,101.55	93.1
MINI-PARKS, MEDIANS & TRIANGLE	15,150.00	15,150.00	9,245.53	805.44	5,904.47	61.0
Total Expenditures	1,631,328.00	1,651,751.00	1,149,524.65	118,246.20	427,226.35	69.6

Audited Fund Balance at June 30, 2019: \$1,003,299

Please Note: Approved Amended Budget has been added to February's Report

REVENUE REPORT
MARCH 2020 @ 75%

Page: 1
5/1/2020
6:25 pm

Rossmoor Community

For the Period: 7/1/2019 to 3/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 10 - GENERAL FUND							
Revenues							
Function:							
Dept: 00							
PROPERTY TAXES	1,010,370.00	1,014,695.00	664,094.29	72,839.77	0.00	350,600.71	65.4
ASSESSMENTS	356,040.00	356,040.00	227,926.12	25,368.60	0.00	128,113.88	64.0
USE OF MONEY AND PROPERTY	24,000.00	24,000.00	8,270.98	-0.02	0.00	15,729.02	34.5
OTHER GOVERNMENT AGENCIES	65,400.00	65,400.00	2,520.22	0.00	0.00	62,879.78	3.9
FEES AND SERVICES	181,000.00	181,000.00	136,296.72	6,891.25	0.00	44,703.28	75.3
OTHER REVENUE	42,000.00	56,870.00	36,885.49	270.93	0.00	19,984.51	64.9
Dept: 00	1,678,810.00	1,698,005.00	1,075,993.82	105,370.53	0.00	622,011.18	63.4
Function:	1,678,810.00	1,698,005.00	1,075,993.82	105,370.53	0.00	622,011.18	63.4
Revenues	1,678,810.00	1,698,005.00	1,075,993.82	105,370.53	0.00	622,011.18	63.4
Grand Total Net Effect:	1,678,810.00	1,698,005.00	1,075,993.82	105,370.53	0.00	622,011.18	

EXPENDITURE REPORT
MARCH 2020 @ 75%

Page: 1
5/1/2020
6:27 pm

Rossmoor Community

For the Period: 7/1/2019 to 3/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 10 - GENERAL FUND							
Expenditures							
Function:							
Dept: 00							
OPERATIONS AND MAINTENANCE	150,000.00	75,000.00	0.00	0.00	0.00	75,000.00	0.0
Dept: 00	150,000.00	75,000.00	0.00	0.00	0.00	75,000.00	0.0
Dept: 10 ADMINISTRATION							
SALARIES AND BENEFITS	649,100.00	661,000.00	483,246.46	66,092.40	0.00	177,753.54	73.1
OPERATIONS AND MAINTENANCE	103,440.00	107,125.00	59,452.05	6,032.00	0.00	47,672.95	55.5
CONTRACT SERVICES	62,400.00	102,500.00	64,727.99	4,198.27	0.00	37,772.01	63.1
CAPITAL EXPENDITURES	2,000.00	2,000.00	566.40	0.00	0.00	1,433.60	28.3
ADMINISTRATION	816,940.00	872,625.00	607,992.90	76,322.67	0.00	264,632.10	69.7
Dept: 20 RECREATION							
OPERATIONS AND MAINTENANCE	44,750.00	57,350.00	42,240.63	0.00	0.00	15,109.37	73.7
CAPITAL EXPENDITURES	250.00	250.00	0.00	0.00	0.00	250.00	0.0
RECREATION	45,000.00	57,600.00	42,240.63	0.00	0.00	15,359.37	73.3
Dept: 30 ROSSMOOR PARK							
OPERATIONS AND MAINTENANCE	73,290.00	78,388.00	56,988.42	5,603.91	0.00	21,399.58	72.7
CONTRACT SERVICES	30,000.00	30,000.00	23,566.95	2,618.55	0.00	6,433.05	78.6
ROSSMOOR PARK	103,290.00	108,388.00	80,555.37	8,222.46	0.00	27,832.63	74.3
Dept: 40 MONTECITO CENTER							
OPERATIONS AND MAINTENANCE	22,098.00	22,170.00	11,494.40	3,033.27	0.00	10,675.60	51.8
CONTRACT SERVICES	3,500.00	3,500.00	2,618.55	290.95	0.00	881.45	74.8
CAPITAL EXPENDITURES	500.00	500.00	0.00	0.00	0.00	500.00	0.0
MONTECITO CENTER	26,098.00	26,170.00	14,112.95	3,324.22	0.00	12,057.05	53.9
Dept: 50 RUSH PARK							
OPERATIONS AND MAINTENANCE	110,900.00	118,968.00	80,053.56	7,291.17	0.00	38,914.44	67.3
CONTRACT SERVICES	30,000.00	30,000.00	24,112.17	2,618.55	0.00	5,887.83	80.4
RUSH PARK	140,900.00	148,968.00	104,165.73	9,909.72	0.00	44,802.27	69.9
Dept: 60 STREET LIGHTING							
CONTRACT SERVICES	103,000.00	108,000.00	85,218.44	7,765.61	0.00	22,781.56	78.9
STREET LIGHTING	103,000.00	108,000.00	85,218.44	7,765.61	0.00	22,781.56	78.9
Dept: 65 ROSSMOOR WALL							
OPERATIONS AND MAINTENANCE	4,400.00	3,700.00	2,200.00	0.00	0.00	1,500.00	59.5

EXPENDITURE REPORT
MARCH 2020 @ 75%

Rossmoor Community

For the Period: 7/1/2019 to 3/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 10 - GENERAL FUND							
Expenditures							
Function:							
ROSSMOOR WALL	4,400.00	3,700.00	2,200.00	0.00	0.00	1,500.00	59.5
Dept: 70 STREET SWEEPING							
CONTRACT SERVICES	60,000.00	60,000.00	39,744.65	4,917.63	0.00	20,255.35	66.2
STREET SWEEPING	60,000.00	60,000.00	39,744.65	4,917.63	0.00	20,255.35	66.2
Dept: 80 PARKWAY TREES							
OPERATIONS AND MAINTENANCE	1,550.00	1,550.00	598.45	248.45	0.00	951.55	38.6
CONTRACT SERVICES	120,000.00	120,000.00	118,630.00	0.00	0.00	1,370.00	98.9
CAPITAL EXPENDITURES	45,000.00	54,600.00	44,820.00	6,720.00	0.00	9,780.00	82.1
PARKWAY TREES	166,550.00	176,150.00	164,048.45	6,968.45	0.00	12,101.55	93.1
Dept: 90 MINI-PARKS AND MEDIANS							
OPERATIONS AND MAINTENANCE	11,550.00	11,550.00	6,626.98	514.49	0.00	4,923.02	57.4
CONTRACT SERVICES	3,500.00	3,500.00	2,618.55	290.95	0.00	881.45	74.8
CAPITAL EXPENDITURES	100.00	100.00	0.00	0.00	0.00	100.00	0.0
MINI-PARKS AND MEDIANS	15,150.00	15,150.00	9,245.53	805.44	0.00	5,904.47	61.0
Function:	1,631,328.00	1,651,751.00	1,149,524.65	118,236.20	0.00	502,226.35	69.6
Expenditures	1,631,328.00	1,651,751.00	1,149,524.65	118,236.20	0.00	502,226.35	69.6
Grand Total Net Effect:	-1,631,328.00	-1,651,751.00	-1,149,524.65	-118,236.20	0.00	-502,226.35	

REVENUE/EXPENDITURE REPORT
MARCH 2020 @ 75%

Page: 1
 5/1/2020
 6:11 pm

Rossmoor Community

For the Period: 7/1/2019 to 3/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 10 - GENERAL FUND							
Revenues							
Function:							
Dept: 00							
Acct Class: 30 PROPERTY TAXES							
3000 Current Secured Property Taxes	936,675.00	940,000.00	610,175.51	70,990.75	0.00	329,824.49	64.9
3001 Current unsecured prop tax	28,000.00	28,000.00	24,809.37	0.00	0.00	3,190.63	88.6
3002 Prior secured property taxes	6,500.00	6,500.00	5,951.36	401.84	0.00	548.64	91.6
3003 Prior unsecured prop taxes	395.00	395.00	0.00	0.00	0.00	395.00	0.0
3004 Delinquent property taxes	800.00	800.00	0.00	0.00	0.00	800.00	0.0
3010 Current supplemental assessmt	24,000.00	24,000.00	12,508.65	1,447.18	0.00	11,491.35	52.1
3020 Public utility tax	14,000.00	15,000.00	10,649.40	0.00	0.00	4,350.60	71.0
PROPERTY TAXES	1,010,370.00	1,014,695.00	664,094.29	72,839.77	0.00	350,600.71	65.4
Acct Class: 31 ASSESSMENTS							
3105 Street light assessments	356,040.00	356,040.00	227,926.12	25,368.60	0.00	128,113.88	64.0
ASSESSMENTS	356,040.00	356,040.00	227,926.12	25,368.60	0.00	128,113.88	64.0
Acct Class: 32 USE OF MONEY AND PROPERTY							
3200 Interest on investments	24,000.00	24,000.00	8,270.98	-0.02	0.00	15,729.02	34.5
USE OF MONEY AND PROPERTY	24,000.00	24,000.00	8,270.98	-0.02	0.00	15,729.02	34.5
Acct Class: 33 OTHER GOVERNMENT AGENCIES							
3301 State homeowner proptax relief	5,400.00	5,400.00	2,520.22	0.00	0.00	2,879.78	46.7
3305 County street sweep reimburse	60,000.00	60,000.00	0.00	0.00	0.00	60,000.00	0.0
OTHER GOVERNMENT AGENCIES	65,400.00	65,400.00	2,520.22	0.00	0.00	62,879.78	3.9
Acct Class: 34 FEES AND SERVICES							
3404 Court reservations	25,000.00	25,000.00	22,727.75	1,314.50	0.00	2,272.25	90.9
3405 Wall Rental	500.00	500.00	300.00	0.00	0.00	200.00	60.0
3406 Ball field reservations	25,000.00	25,000.00	20,903.00	549.00	0.00	4,097.00	83.6
3410 Rossmoor building rental	18,500.00	18,500.00	12,611.75	1,196.25	0.00	5,888.25	68.2
3412 Montecito building rental	27,000.00	27,000.00	18,448.62	2,109.00	0.00	8,551.38	68.3
3414 Rush Park Building Rental	85,000.00	85,000.00	61,305.60	1,722.50	0.00	23,694.40	72.1
FEES AND SERVICES	181,000.00	181,000.00	136,296.72	6,891.25	0.00	44,703.28	75.3
Acct Class: 35 OTHER REVENUE							
3500 Other miscellaneous revenue	2,000.00	3,000.00	2,990.49	270.93	0.00	9.51	99.7
3502 Administrative Fee	20,000.00	20,000.00	20,000.00	0.00	0.00	0.00	100.0
3504 Winterfest Sponsorships	0.00	13,870.00	13,895.00	0.00	0.00	-25.00	100.2
3600 TRANSFER IN/OUT OTHER FUNDS	20,000.00	20,000.00	0.00	0.00	0.00	20,000.00	0.0
OTHER REVENUE	42,000.00	56,870.00	36,885.49	270.93	0.00	19,984.51	64.9
Dept: 00	1,678,810.00	1,698,005.00	1,075,993.82	105,370.53	0.00	622,011.18	63.4
Function:	1,678,810.00	1,698,005.00	1,075,993.82	105,370.53	0.00	622,011.18	63.4
Revenues	1,678,810.00	1,698,005.00	1,075,993.82	105,370.53	0.00	622,011.18	63.4
Expenditures							
Function:							
Dept: 00							
Acct Class: 50 OPERATIONS AND MAINTENANCE							
9997 Transfer Out	150,000.00	75,000.00	0.00	0.00	0.00	75,000.00	0.0
OPERATIONS AND MAINTENANCE	150,000.00	75,000.00	0.00	0.00	0.00	75,000.00	0.0
Dept: 00	150,000.00	75,000.00	0.00	0.00	0.00	75,000.00	0.0
Dept: 10 ADMINISTRATION							
Acct Class: 40 SALARIES AND BENEFITS							
4000 Board of Directors Compensatn	8,000.00	9,000.00	6,800.00	1,500.00	0.00	2,200.00	75.6
4002 Salaries - Part-time	10,000.00	15,000.00	13,505.00	2,385.00	0.00	1,495.00	90.0

REVENUE/EXPENDITURE REPORT
MARCH 2020 @ 75%

Rossmoor Community

For the Period: 7/1/2019 to 3/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 10 - GENERAL FUND							
Expenditures							
Function:							
Dept: 10 ADMINISTRATION							
Acct Class: 40 SALARIES AND BENEFITS							
4003 Salaries - Overtime	6,000.00	12,000.00	11,414.70	0.00	0.00	585.30	95.1
4006 SALARY - ADMINISTRATION	217,400.00	210,000.00	160,893.67	28,566.11	0.00	49,106.33	76.6
4007 Vehicle Allowance	1,500.00	1,500.00	775.47	196.03	0.00	724.53	51.7
4008 SALARY - RECREATION	129,600.00	136,000.00	92,295.72	0.00	0.00	43,704.28	67.9
4009 SALARY - PARK/TREE MAINTENANCE	132,000.00	137,000.00	98,389.72	11,475.24	0.00	38,610.28	71.8
4010 Workers Compensation Insurance	28,000.00	15,000.00	10,980.87	1,137.17	0.00	4,019.13	73.2
4011 Medical Insurance	79,000.00	86,000.00	57,087.94	17,289.72	0.00	28,912.06	66.4
4015 Federal Payroll Tax -FICA	37,600.00	39,500.00	31,103.37	3,543.13	0.00	8,396.63	78.7
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SALARIES AND BENEFITS	649,100.00	661,000.00	483,246.46	66,092.40	0.00	177,753.54	73.1
Acct Class: 50 OPERATIONS AND MAINTENANCE							
5002 Insurance - Liability	24,165.00	24,165.00	0.00	0.00	0.00	24,165.00	0.0
5004 Memberships and Dues	7,200.00	7,200.00	7,691.66	0.00	0.00	-491.66	106.8
5006 Travel & Meetings	1,550.00	2,500.00	1,492.38	342.25	0.00	1,007.62	59.7
5007 Televised Meeting Costs	17,860.00	17,860.00	13,388.30	1,487.50	0.00	4,471.70	75.0
5010 Publications & Legal Notices	6,500.00	6,500.00	6,767.19	957.64	0.00	-267.19	104.1
5012 Printing	2,000.00	3,000.00	829.56	0.00	0.00	2,170.44	27.7
5014 Postage	3,000.00	5,000.00	3,336.18	240.00	0.00	1,663.82	66.7
5016 Office Supplies	9,000.00	10,000.00	6,286.27	1,285.84	0.00	3,713.73	62.9
5020 Telephone	14,365.00	12,500.00	8,279.61	657.14	0.00	4,220.39	66.2
5021 Computer Costs	5,000.00	5,000.00	3,346.25	296.50	0.00	1,653.75	66.9
5045 Miscellaneous Expenditures	10,000.00	10,000.00	5,241.51	328.17	0.00	4,758.49	52.4
5046 Bank Service Charge	2,800.00	3,400.00	2,793.14	436.96	0.00	606.86	82.2
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OPERATIONS AND MAINTENANCE	103,440.00	107,125.00	59,452.05	6,032.00	0.00	47,672.95	55.5
Acct Class: 56 CONTRACT SERVICES							
5610 Legal Counsel	34,000.00	50,000.00	29,520.00	2,740.00	0.00	20,480.00	59.0
5615 Financial Audit-Consulting	12,500.00	12,500.00	12,500.00	0.00	0.00	0.00	100.0
5620 Misc Studies	0.00	10,000.00	0.00	0.00	0.00	10,000.00	0.0
5670 Other Professional Services	15,900.00	30,000.00	22,707.99	1,458.27	0.00	7,292.01	75.7
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CONTRACT SERVICES	62,400.00	102,500.00	64,727.99	4,198.27	0.00	37,772.01	63.1
Acct Class: 60 CAPITAL EXPENDITURES							
6010 Equipment	2,000.00	2,000.00	566.40	0.00	0.00	1,433.60	28.3
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CAPITAL EXPENDITURES	2,000.00	2,000.00	566.40	0.00	0.00	1,433.60	28.3
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ADMINISTRATION	816,940.00	872,625.00	607,992.90	76,322.67	0.00	264,632.10	69.7
Dept: 20 RECREATION							
Acct Class: 50 OPERATIONS AND MAINTENANCE							
5017 Community Events	44,000.00	56,600.00	42,240.63	0.00	0.00	14,359.37	74.6
5045 Miscellaneous Expenditures	500.00	500.00	0.00	0.00	0.00	500.00	0.0
5051 Equipment Rental	250.00	250.00	0.00	0.00	0.00	250.00	0.0
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OPERATIONS AND MAINTENANCE	44,750.00	57,350.00	42,240.63	0.00	0.00	15,109.37	73.7
Acct Class: 60 CAPITAL EXPENDITURES							
6010 Equipment	250.00	250.00	0.00	0.00	0.00	250.00	0.0
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CAPITAL EXPENDITURES	250.00	250.00	0.00	0.00	0.00	250.00	0.0
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RECREATION	45,000.00	57,600.00	42,240.63	0.00	0.00	15,359.37	73.3
Dept: 30 ROSSMOOR PARK							
Acct Class: 50 OPERATIONS AND MAINTENANCE							
5018 Janitorial Supplies	4,500.00	4,500.00	1,751.50	262.84	0.00	2,748.50	38.9
5022 Utilities	13,000.00	13,000.00	9,033.11	626.95	0.00	3,966.89	69.5
5023 Water	22,000.00	27,000.00	20,903.44	1,903.92	0.00	6,096.56	77.4
5025 SECURED PROP TAX	940.00	1,038.00	1,036.98	0.00	0.00	1.02	99.9
5030 Vehicle Maintenance	1,050.00	1,050.00	1,038.67	50.76	0.00	11.33	98.9

REVENUE/EXPENDITURE REPORT
MARCH 2020 @ 75%

Rossmoor Community

For the Period: 7/1/2019 to 3/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 10 - GENERAL FUND							
Expenditures							
Function:							
Dept: 30 ROSSMOOR PARK							
Acct Class: 50 OPERATIONS AND MAINTENANCE							
5032 Building & Grounds-Maintenance	30,000.00	30,000.00	22,725.78	2,733.39	0.00	7,274.22	75.8
5034 Alarm Systems	850.00	850.00	498.94	26.05	0.00	351.06	58.7
5045 Miscellaneous Expenditures	450.00	450.00	0.00	0.00	0.00	450.00	0.0
5051 Equipment Rental	250.00	250.00	0.00	0.00	0.00	250.00	0.0
5052 Minor Facility Repairs	250.00	250.00	0.00	0.00	0.00	250.00	0.0
OPERATIONS AND MAINTENANCE	73,290.00	78,388.00	56,988.42	5,603.91	0.00	21,399.58	72.7
Acct Class: 56 CONTRACT SERVICES							
5655 Landscape Maintenance	30,000.00	30,000.00	23,566.95	2,618.55	0.00	6,433.05	78.6
CONTRACT SERVICES	30,000.00	30,000.00	23,566.95	2,618.55	0.00	6,433.05	78.6
ROSSMOOR PARK	103,290.00	108,388.00	80,555.37	8,222.46	0.00	27,832.63	74.3
Dept: 40 MONTECITO CENTER							
Acct Class: 50 OPERATIONS AND MAINTENANCE							
5018 Janitorial Supplies	4,500.00	4,500.00	1,751.50	262.84	0.00	2,748.50	38.9
5022 Utilities	2,000.00	2,000.00	1,041.39	219.83	0.00	958.61	52.1
5023 Water	2,250.00	2,250.00	1,033.18	156.14	0.00	1,216.82	45.9
5025 SECURED PROP TAX	798.00	870.00	870.84	0.00	0.00	-0.84	100.1
5030 Vehicle Maintenance	1,050.00	1,050.00	1,038.67	50.76	0.00	11.33	98.9
5032 Building & Grounds-Maintenance	10,000.00	10,000.00	5,402.38	2,204.42	0.00	4,597.62	54.0
5034 Alarm Systems	500.00	500.00	356.44	139.28	0.00	143.56	71.3
5045 Miscellaneous Expenditures	500.00	500.00	0.00	0.00	0.00	500.00	0.0
5051 Equipment Rental	250.00	250.00	0.00	0.00	0.00	250.00	0.0
5052 Minor Facility Repairs	250.00	250.00	0.00	0.00	0.00	250.00	0.0
OPERATIONS AND MAINTENANCE	22,098.00	22,170.00	11,494.40	3,033.27	0.00	10,675.60	51.8
Acct Class: 56 CONTRACT SERVICES							
5655 Landscape Maintenance	3,500.00	3,500.00	2,618.55	290.95	0.00	881.45	74.8
CONTRACT SERVICES	3,500.00	3,500.00	2,618.55	290.95	0.00	881.45	74.8
Acct Class: 60 CAPITAL EXPENDITURES							
6010 Equipment	500.00	500.00	0.00	0.00	0.00	500.00	0.0
CAPITAL EXPENDITURES	500.00	500.00	0.00	0.00	0.00	500.00	0.0
MONTECITO CENTER	26,098.00	26,170.00	14,112.95	3,324.22	0.00	12,057.05	53.9
Dept: 50 RUSH PARK							
Acct Class: 50 OPERATIONS AND MAINTENANCE							
5018 Janitorial Supplies	4,500.00	4,500.00	1,754.39	263.62	0.00	2,745.61	39.0
5022 Utilities	23,000.00	23,000.00	14,482.63	1,484.84	0.00	8,517.37	63.0
5023 Water	39,000.00	42,000.00	24,417.56	2,686.41	0.00	17,582.44	58.1
5025 SECURED PROP TAX	4,050.00	3,968.00	3,968.56	0.00	0.00	-0.56	100.0
5030 Vehicle Maintenance	1,050.00	1,200.00	1,038.82	50.91	0.00	161.18	86.6
5032 Building & Grounds-Maintenance	38,000.00	43,000.00	34,035.15	2,780.10	0.00	8,964.85	79.2
5034 Alarm Systems	550.00	550.00	356.45	25.29	0.00	193.55	64.8
5045 Miscellaneous Expenditures	250.00	250.00	0.00	0.00	0.00	250.00	0.0
5051 Equipment Rental	250.00	250.00	0.00	0.00	0.00	250.00	0.0
5052 Minor Facility Repairs	250.00	250.00	0.00	0.00	0.00	250.00	0.0
OPERATIONS AND MAINTENANCE	110,900.00	118,968.00	80,053.56	7,291.17	0.00	38,914.44	67.3
Acct Class: 56 CONTRACT SERVICES							
5655 Landscape Maintenance	30,000.00	30,000.00	24,112.17	2,618.55	0.00	5,887.83	80.4
CONTRACT SERVICES	30,000.00	30,000.00	24,112.17	2,618.55	0.00	5,887.83	80.4
RUSH PARK	140,900.00	148,968.00	104,165.73	9,909.72	0.00	44,802.27	69.9
Dept: 60 STREET LIGHTING							

REVENUE/EXPENDITURE REPORT
MARCH 2020 @ 75%

Page: 4
5/1/2020
6:11 pm

Rossmoor Community

For the Period: 7/1/2019 to 3/31/2020		Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 10 - GENERAL FUND								
Expenditures								
Function:								
Dept: 60 STREET LIGHTING								
Acct Class: 56 CONTRACT SERVICES								
5650	Lighting and Maintenance	103,000.00	108,000.00	85,218.44	7,765.61	0.00	22,781.56	78.9
CONTRACT SERVICES		103,000.00	108,000.00	85,218.44	7,765.61	0.00	22,781.56	78.9
STREET LIGHTING		103,000.00	108,000.00	85,218.44	7,765.61	0.00	22,781.56	78.9
Dept: 65 ROSSMOOR WALL								
Acct Class: 50 OPERATIONS AND MAINTENANCE								
5002	Insurance - Liability	2,400.00	2,200.00	2,200.00	0.00	0.00	0.00	100.0
5032	Building & Grounds-Maintenance	2,000.00	1,500.00	0.00	0.00	0.00	1,500.00	0.0
OPERATIONS AND MAINTENANCE		4,400.00	3,700.00	2,200.00	0.00	0.00	1,500.00	59.5
ROSSMOOR WALL		4,400.00	3,700.00	2,200.00	0.00	0.00	1,500.00	59.5
Dept: 70 STREET SWEEPING								
Acct Class: 56 CONTRACT SERVICES								
5642	Street Sweeping	60,000.00	60,000.00	39,744.65	4,917.63	0.00	20,255.35	66.2
CONTRACT SERVICES		60,000.00	60,000.00	39,744.65	4,917.63	0.00	20,255.35	66.2
STREET SWEEPING		60,000.00	60,000.00	39,744.65	4,917.63	0.00	20,255.35	66.2
Dept: 80 PARKWAY TREES								
Acct Class: 50 OPERATIONS AND MAINTENANCE								
5017	Community Events	1,500.00	1,500.00	598.45	248.45	0.00	901.55	39.9
5051	Equipment Rental	50.00	50.00	0.00	0.00	0.00	50.00	0.0
OPERATIONS AND MAINTENANCE		1,550.00	1,550.00	598.45	248.45	0.00	951.55	38.6
Acct Class: 56 CONTRACT SERVICES								
5656	Tree Trimming	111,000.00	116,500.00	115,190.00	0.00	0.00	1,310.00	98.9
5660	TREE REMOVAL	9,000.00	3,500.00	3,440.00	0.00	0.00	60.00	98.3
CONTRACT SERVICES		120,000.00	120,000.00	118,630.00	0.00	0.00	1,370.00	98.9
Acct Class: 60 CAPITAL EXPENDITURES								
6015	Trees	45,000.00	54,600.00	44,820.00	6,720.00	0.00	9,780.00	82.1
CAPITAL EXPENDITURES		45,000.00	54,600.00	44,820.00	6,720.00	0.00	9,780.00	82.1
PARKWAY TREES		166,550.00	176,150.00	164,048.45	6,968.45	0.00	12,101.55	93.1
Dept: 90 MINI-PARKS AND MEDIANS								
Acct Class: 50 OPERATIONS AND MAINTENANCE								
5022	Utilities	1,150.00	1,150.00	347.68	46.08	0.00	802.32	30.2
5023	Water	7,600.00	7,600.00	5,689.18	468.41	0.00	1,910.82	74.9
5032	Building & Grounds-Maintenance	2,500.00	2,500.00	590.12	0.00	0.00	1,909.88	23.6
5045	Miscellaneous Expenditures	100.00	100.00	0.00	0.00	0.00	100.00	0.0
5051	Equipment Rental	100.00	100.00	0.00	0.00	0.00	100.00	0.0
5052	Minor Facility Repairs	100.00	100.00	0.00	0.00	0.00	100.00	0.0
OPERATIONS AND MAINTENANCE		11,550.00	11,550.00	6,626.98	514.49	0.00	4,923.02	57.4
Acct Class: 56 CONTRACT SERVICES								
5655	Landscape Maintenance	3,500.00	3,500.00	2,618.55	290.95	0.00	881.45	74.8
CONTRACT SERVICES		3,500.00	3,500.00	2,618.55	290.95	0.00	881.45	74.8
Acct Class: 60 CAPITAL EXPENDITURES								
6010	Equipment	100.00	100.00	0.00	0.00	0.00	100.00	0.0
CAPITAL EXPENDITURES		100.00	100.00	0.00	0.00	0.00	100.00	0.0
MINI-PARKS AND MEDIANS		15,150.00	15,150.00	9,245.53	805.44	0.00	5,904.47	61.0

REVENUE/EXPENDITURE REPORT
MARCH 2020 @ 75%

Rossmoor Community

For the Period: 7/1/2019 to 3/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 10 - GENERAL FUND							
Expenditures							
Function:	1,631,328.00	1,651,751.00	1,149,524.65	118,236.20	0.00	502,226.35	69.6
Expenditures							
Expenditures	1,631,328.00	1,651,751.00	1,149,524.65	118,236.20	0.00	502,226.35	69.6
Net Effect for GENERAL FUND							
Change in Fund Balance:	47,482.00	46,254.00	-73,530.83	-12,865.67	0.00	119,784.83	-159.0
			-98,018.22				

REVENUE/EXPENDITURE REPORT
MARCH 2020 @ 75%

Rossmoor Community

For the Period: 7/1/2019 to 3/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 20 - ASSESSMENT DISTRICT FUND-RUSH							
Revenues							
Function:							
Dept: 00							
Acct Class: 31 ASSESSMENTS							
3100 Property assessments	380,000.00	233,680.00	157,442.23	19,674.22	0.00	76,237.77	67.4
3101 Property assessments-prior yr	1,000.00	2,350.00	2,362.57	0.00	0.00	-12.57	100.5
ASSESSMENTS	381,000.00	236,030.00	159,804.80	19,674.22	0.00	76,225.20	67.7
Acct Class: 32 USE OF MONEY AND PROPERTY							
3200 Interest on investments	2,500.00	4,000.00	3,308.20	0.00	0.00	691.80	82.7
USE OF MONEY AND PROPERTY	2,500.00	4,000.00	3,308.20	0.00	0.00	691.80	82.7
Dept: 00	383,500.00	240,030.00	163,113.00	19,674.22	0.00	76,917.00	68.0
Function:	383,500.00	240,030.00	163,113.00	19,674.22	0.00	76,917.00	68.0
Revenues	383,500.00	240,030.00	163,113.00	19,674.22	0.00	76,917.00	68.0
Expenditures							
Function:							
Dept: 50 RUSH PARK							
Acct Class: 56 CONTRACT SERVICES							
5617 Administrative Fees	20,000.00	20,000.00	20,000.00	0.00	0.00	0.00	100.0
5619 Bond Trustee	3,324.00	3,324.00	3,323.50	0.00	0.00	0.50	100.0
CONTRACT SERVICES	23,324.00	23,324.00	23,323.50	0.00	0.00	0.50	100.0
Acct Class: 58 DEBT SERVICE							
5800 Principal	315,000.00	315,000.00	315,000.00	0.00	0.00	0.00	100.0
5801 Interest	37,355.00	37,355.00	37,355.00	0.00	0.00	0.00	100.0
DEBT SERVICE	352,355.00	352,355.00	352,355.00	0.00	0.00	0.00	100.0
RUSH PARK	375,679.00	375,679.00	375,678.50	0.00	0.00	0.50	100.0
Function:	375,679.00	375,679.00	375,678.50	0.00	0.00	0.50	100.0
Expenditures	375,679.00	375,679.00	375,678.50	0.00	0.00	0.50	100.0
Net Effect for ASSESSMENT DISTRICT FUND-RUSH	7,821.00	-135,649.00	-212,565.50	19,674.22	0.00	76,916.50	156.7
Change in Fund Balance:			-212,565.50				

REVENUE/EXPENDITURE REPORT
MARCH 2020 @ 75%

Rossmoor Community

For the Period: 7/1/2019 to 3/31/2020		Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 40 - CAPITAL PROJECTS CONTRIBUTIONS								
Revenues								
Function:								
Dept: 00								
Acct Class: 30 PROPERTY TAXES								
2999	FY Begin Fund Balance	8,758.00	8,758.00	0.00	0.00	0.00	8,758.00	0.0
PROPERTY TAXES		8,758.00	8,758.00	0.00	0.00	0.00	8,758.00	0.0
Acct Class: 35 OTHER REVENUE								
3600	TRANSFER IN/OUT OTHER FUNDS	150,000.00	75,000.00	0.00	0.00	0.00	75,000.00	0.0
OTHER REVENUE		150,000.00	75,000.00	0.00	0.00	0.00	75,000.00	0.0
Dept: 00								
Function:		158,758.00	83,758.00	0.00	0.00	0.00	83,758.00	0.0
Revenues								
Function:		158,758.00	83,758.00	0.00	0.00	0.00	83,758.00	0.0
Expenditures								
Function:								
Dept: 30 ROSSMOOR PARK								
Acct Class: 60 CAPITAL EXPENDITURES								
6005	Buildings and Improvements	48,100.00	8,000.00	5,250.00	4,250.00	0.00	2,750.00	65.6
CAPITAL EXPENDITURES		48,100.00	8,000.00	5,250.00	4,250.00	0.00	2,750.00	65.6
ROSSMOOR PARK		48,100.00	8,000.00	5,250.00	4,250.00	0.00	2,750.00	65.6
Dept: 50 RUSH PARK								
Acct Class: 60 CAPITAL EXPENDITURES								
6005	Buildings and Improvements	86,420.00	53,013.00	0.00	0.00	0.00	53,013.00	0.0
CAPITAL EXPENDITURES		86,420.00	53,013.00	0.00	0.00	0.00	53,013.00	0.0
RUSH PARK		86,420.00	53,013.00	0.00	0.00	0.00	53,013.00	0.0
Dept: 75 CAPITAL PROJECTS								
Acct Class: 50 OPERATIONS AND MAINTENANCE								
5045	Miscellaneous Expenditures	11,500.00	14,500.00	10,302.43	538.25	0.00	4,197.57	71.1
OPERATIONS AND MAINTENANCE		11,500.00	14,500.00	10,302.43	538.25	0.00	4,197.57	71.1
CAPITAL PROJECTS		11,500.00	14,500.00	10,302.43	538.25	0.00	4,197.57	71.1
Function:		146,020.00	75,513.00	15,552.43	4,788.25	0.00	59,960.57	20.6
Expenditures								
Function:		146,020.00	75,513.00	15,552.43	4,788.25	0.00	59,960.57	20.6
Net Effect for CAPITAL PROJECTS CONTRIBUTIONS		12,738.00	8,245.00	-15,552.43	-4,788.25	0.00	23,797.43	-188.6
Change in Fund Balance:				-15,552.43				
Grand Total Net Effect:		68,041.00	-81,150.00	-301,648.76	2,020.30	0.00	220,498.76	

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM H-1

Date: March 12, 2020

To: Honorable Board of Directors

From: General Manager Joe Mendoza
Initiated by: Liz Deering, Administrative Assistant

Subject: AUTHORIZATION TO RENEW AGREEMENT WITH CITY OF BREA ("BreaIT") FOR COMPUTER SUPPORT SERVICES AND MAINTENANCE

RECOMMENDATION:

Authorize the General Manager to renew and execute an amendment to extend by one-year the Information Technology Support Services Agreement between the Rossmoor Community Services District (RCSD) and the City of Brea Information Technology Division (BreaIT) for the purpose of providing information technology services, which include support of the District's personal computers (PC), local area network (LAN), hardware, software, and general integration.

BACKGROUND:

In 2014, the Rossmoor Community Services District was faced with the need for significant computer hardware and software upgrades. The Board asked staff to conduct extensive research in order to understand the justification for these capital expenditures and develop a strategic plan for potential Cloud migration. In May 2014, an agenda report was prepared to inform the District about Cloud technology and assist the District with decisions regarding further Cloud migration. At that time, the District was approximately 50% in the Cloud. When compared to other agencies its size, the District met or exceeded the level of Cloud technology utilization. Currently, the District maintains a hybrid Cloud backup.

INFORMATION:

BreaIT Solutions is a full-service organization with technical expertise that provides a valuable resource for whatever needs arise. Their responsiveness

for emergency service during working hours is superior. To date, the District has not had to utilize after-hours emergency service.

The proposal provides for a one-year, one-day per month (8 hour minimum) on-site presence to maintain the District's computer system and equipment consisting of handling minor computer issues, server backup, security, and equipment management, with an on-call help desk to deal with unexpected circumstances.

The District will experience a slight increase in the hourly rate from \$110 to \$113 (3%) and the emergency/after-hour support rate will be \$120 per hour.

In reviewing expenditures at a recent Budget Committee meeting, Director DeMarco inquired why the District purchased and continues to use an onsite server, rather than going completely to a Cloud-based system. In response, the one-year contract will provide the District with adequate time to research and make an appropriate analysis of the benefits, costs, security, maintenance, and subscription and storage fees associated with a Cloud-based system. It should also be noted that the District's current finance program, would need to be evaluated and changed to be compatible with a Cloud system. Currently, it is not compatible.

ATTACHMENTS:

1. City of Brea, IT Services Price increase letter, dated February 13, 2020
2. Current Information Technology Support Services Amendment from City of Brea, IT Services
3. Draft Second Amendment to Contract Service Agreement for Information Technology Support

February 13, 2020

Joe Mendoza, General Manager
Rossmoor CSD
3001 Blume Dr
Rossmoor, CA 90720

Dear Joe:

Thank you for being a valued BreaIT customer. We look forward to the opportunity to continue our role as your IT support service provider.

This letter is to inform you that our rates for the coming fiscal year must increase due to the rising costs of retirement, medical and other cost of living increases. Effective the start of the new contract, the monthly support rate for BreaIT support will increase by 3%, from \$110 per hour to \$113 and the emergency/after-hour support rate will increase to \$120 per hour.

As always, we want to communicate this to you early, allowing for adequate time to plan and make necessary budgetary adjustments to account for this increase. BreaIT remains committed to not only meeting the technology needs of our customers, but to do so with exceptional customer service.

If you would like to renew your support agreement, please provide us with a contract extension before July 1, 2020.

Feel free to contact me at 714/990-7263 or e-mail randyh@cityofbrea.net if you have any questions or need additional information.

Sincerely,



Randy Hornsby
IT Manager

**AMENDMENT TO CONTACT SERVICE AGREEMENT FOR
INFORMATION TECHNOLOGY SUPPORT**

This AMENDMENT TO CONTACT SERVICE AGREEMENT (herein "Amendment") is made and entered into this 11th day of April 2017, by and between THE ROSSMOOR COMMUNITY SERVICES DISTRICT (herein "Client") and CITY OF BREA, a municipal corporation (herein "Contractor").

RECITALS

WHEREAS, on or about May 13, 2014 the Client and the Contractor entered into that certain Contract Services Agreement for Information Technology Support (Agreement");

WHEREAS, the terms of the Agreement provide the upon completion of (3) three years after its commencement, the Agreement automatically terminates;

WHEREAS, the Client and the Contractor are desirous of extending the term of the Agreement for (3) three additional years under the same terms as those set forth under the Agreement;

WHEREAS, the parties wish to extend the term of the Agreement pursuant to the provisions of this Amendment.

NOW, THEREFORE, the parties hereto agree as follows:

1. Section B.1 of the Agreement entitled "Term" shall be amended in its entirety to add the following provision to read as follows:

Section B.1 Term. The term of this Agreement shall be extended for an additional (3) three years ending on May 13, 2020 unless extended or earlier terminated, as provided herein. This Agreement may be extended by Client and BreaIT for an additional one year term, subject to all provisions herein.

2. Sections B.2 of the agreement entitled "Compensation" shall be amended in its entirety to add the following provision regarding additional compensation for the services to be performed by the Contractor pursuant to revised Section B.1 to read as follows:

Section B.2 Compensation. As consideration for the use of BreaIT services, Rossmoor Community Service District shall pay to BreaIT a fee of:

- a) Year One – Ending 5/13/18 - \$108.00 per hour for each hour worked.
- b) Year Two – Ending 5/13/19 - \$108.00 per hour for each hour worked plus an increase not to exceed the February 2019 Orange County CPI Index.
- c) Year Three – Ending 5/13/20 – year two hourly rate plus an increase not to exceed the February 2020 Orange County CPI Index.

3. Sections B.3 of the agreement entitled "Contracted Hours" shall be amended in its entirety to add additional compensation for the services to be performed by the Contractor which revised Section B.3 shall read as follows:

Section B.3 Contracted Hours. The contracted ten (10) hours per month represent a specialist visiting the Client's site at a minimum of once every two weeks for 4 hours per visit.

4. Full Force and Effect. Except as expressly modified herein all other provisions of the Agreement shall remain unmodified and in full force and effect.
5. Corporate Authority. The persons executing the Agreement on behalf of the parties hereto warrant the (i) such party is duly organized and existing, (ii) they are duly authorized to execute and deliver this Agreement on behalf of said party, (iii) by so executing this Agreement, such party is formally bound to the provisions of this Amendment, and (iv) the entering into the Agreement does not violate any provision of any other agreement to which the party is bound.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first set forth above.

APPROVED AS TO FORM:

CITY OF BREA

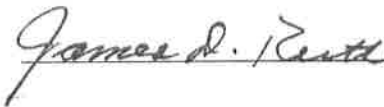
By:



Cindy Russell, Administrative Services
Director

THE ROSSMOOR COMMUNITY SERVICES DISTRICT

By:



James D. Ruth, General Manager

**SECOND AMENDMENT TO CONTRACT SERVICE AGREEMENT FOR
INFORMATION TECHNOLOGY SUPPORT**

This SECOND AMENDMENT TO CONTRACT SERVICE AGREEMENT (herein "Amendment") is made and entered into this 12th day of May 2020, by and between THE ROSSMOOR COMMUNITY SERVICES DISTRICT (herein "Client") and CITY OF BREA, a municipal corporation (herein "Contractor").

RECITALS

WHEREAS, on or about May 13, 2014 the Client and the Contractor entered into that certain Contract Services Agreement for Information Technology Support ("Agreement");

WHEREAS, on or about May 13, 2017 the Client and the Contractor entered into that certain Amendment to Contract Services Agreement for Information Technology Support;

WHEREAS, the terms of the Amended Agreement provided that upon completion of three (3) years after its commencement, the Agreement automatically terminates;

WHEREAS, the Client and the Contractor are desirous of extending the term of the Agreement for one (1) additional year under the same terms as those set forth under the Agreement and as modified herein;

WHEREAS, the parties wish to extend the term of the Agreement pursuant to the provisions of this Second Amendment.

NOW, THEREFORE, the parties hereto agree as follows:

1. Section B.1 of the Agreement entitled "Term" shall be amended in its entirety to add the following provision to read as follows:

Section B.1 Term. The term of this Agreement shall be extended for an additional (1) year ending on May 11, 2021 unless extended or earlier terminated, as provided herein. This Agreement may be extended by Client and BreaIT for an additional one year term, subject to all provisions herein.

2. Sections B.2 of the agreement entitled "Compensation" shall be amended in its entirety to add the following provision regarding additional compensation for the services to be performed by the Contractor pursuant to revised Section B.1 to read as follows:

Section B.2 Compensation. As consideration for the use of BreaIT services, Rossmoor Community Service District shall pay to BreaIT a fee of:

- a) One hundred ten dollars (\$110.00) per hour for each hour worked during normal business hours (from 8:00 a.m. to 5 p.m., Monday through Friday);
- b) One hundred thirteen dollars (\$113.00) per hour for emergency call outs during normal business hours; and
- c) One hundred twenty dollars (\$120.00) per hour for each hour worked in outside of normal business hours.

3. Full Force and Effect. Except as expressly modified herein all other provisions of the Agreement shall remain unmodified and in full force and effect.

4. Corporate Authority. The persons executing the Agreement on behalf of the parties hereto warrant that (i) such party is duly organized and existing, (ii) they are duly authorized to execute and deliver this Agreement on behalf of said party, (iii) by so executing this Agreement, such party is formally bound to the provisions of this Amendment, and (iv) the entering into the Agreement does not violate any provision of any other agreement to which the party is bound.

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first set forth above.

CITYOFBREA

Cindy Russell
Administrative Services Director

ROSSMOOR COMMUNITY SERVICES DISTRICT

Joe Mendoza
General Manager

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM H-2

DATE: May 12, 2020

TO: Honorable Board of Directors

FROM: General Manager Joe Mendoza

SUBJECT: FIRST READING POLICY NO. 2070 FAMILIES FIRST
CORONAVIRUS RESPONSE ACT (FFCRA)

RECOMMENDATION:

Recommendation to give first reading to Policy No. 2070 Families First Coronavirus Response Act.

BACKGROUND:

This policy allows for the District to provide up to two weeks (80 hours) of emergency paid sick leave and up to twelve weeks of leave, ten of which must be paid, provided under the Emergency Family Medical Leave Expansion Act to cover employee absences as a result of COVID-19.

SUMMARY:

On March 18, 2020, Congress enacted the Families First Coronavirus Response Act ("FFCRA"), which includes both the Emergency Paid Sick Leave Act ("EPSLA") and the Emergency Family Medical Leave Expansion Act ("EFMLEA").

The EFMLEA requires employers to provide up to twelve (12) weeks of emergency leave, ten weeks of which must be paid at partial pay (2/3 the employee's regular rate) up to a specified cap (\$200 per day and \$10,000 in the aggregate), when an eligible employee is unable to work (including telework) because of a need to care for the employee's son or daughter whose school or place of care is closed, or whose son or daughter's child care is unavailable due to COVID-19 related reasons. An eligible employee is one that has been employed for at least 30 calendar days by the employer.

EPSLA requires employers to provide up to two weeks (80) hours of paid sick leave to all its employees for six COVID-19 related reasons. Employees may take sick leave if they are unable to work (including telework) for the following reasons: (1) the employee is subject to a federal, state, or local quarantine or isolation order, (2) the employee has been advised by a health care provider to self-quarantine related to COVID-19, (3) the employee is experiencing COVID-19 symptoms and is seeking a medical diagnosis, (4) the employee is caring for an individual subject to a quarantine as described in #1 or self-quarantine as described in #2, (5) the employee is caring for his or her son or daughter whose school or place of care is closed (or childcare provider is unavailable) due to COVID-19 related reasons and (6) the employee is experiencing any other substantially similar condition specified by the Department of Health and Human Services.

Employees qualifying for EPSLA for reasons 1-3 are entitled to their full hourly pay times the number of hours he/she would have regularly worked up to a maximum of \$511 per day and \$5,110 in the aggregate. Employees qualifying for EPSLA for reasons 4-6 are entitled to 2/3 of their regular pay times the number of hours he/she would have regularly worked up to a maximum of \$200 per day and \$2,000 in the aggregate.

The attached policy provides departments guidance on how to implement the EFMLEA and EPSLA. Specifically, the policy defines who is eligible, it includes the request and response procedures, it lists the necessary documentation that must accompany each request and it lays out the compensation and duration of leave that is permitted under EFMLEA and EPSLA. To the extent the policy is ambiguous or requires interpretation, the District would look to controlling federal law and Department of Labor regulations and opinions on FFCRA and related statutes.

ATTACHMENTS:

1. Proposed Policy No. 2070

FAMILIES FIRST CORONAVIRUS RESPONSE ACT

2070.00 Purpose

The Families First Coronavirus Response Act (the Act) was passed on March 18, 2020 in response to the COVID-19 pandemic. The Act approves two provisions designed to help reduce the impact of the virus on families. These provisions include the Emergency Family Medical Leave Expansion Act (EFMLEA) and the Emergency Paid Sick Leave Act (EPSLA). These provisions go into effect prospectively as of April 1, 2020 and remain in effect until December 31, 2020.

2070.10 Policy

The policy of the District is to allow employees to take leave from the worksite to ensure that when the employee is at work, the employee is rested, healthy, and mentally available to perform duties in a professional manner and to comply with any state or federal regulations regarding authorized leave. District leave policy is generally described in Policy No. 2025.

2070.20 Leave Under the Emergency Family Medical Leave Expansion Act (EFMLEA)

2070.21 Eligibility

Employees who have been employed with District for at least thirty (30) calendar days are eligible to receive up to 12 weeks of job-protected leave if they are unable to work (including telework) due to a need to care for the son or daughter (under 18 years of age) whose school or place of care has been closed, or whose child care provider is unavailable due to a COVID-19 emergency declared by either a Federal, State, or local authority. Ten weeks are paid and two weeks are unpaid. Employee is required to provide reasonable notice of the need for leave.

2070.22 Duration of Leave

An eligible employee is eligible to receive up to 12 weeks of job-protected leave.

2070.23 Compensation

Under EFMLEA, the first two weeks of EFMLEA are unpaid. The employee may choose to use any accrued leave (vacation, sick, compensatory time) during this two-week period. Alternatively, the employee may also use pay under the provisions of EPSLA as described below.

For weeks three to twelve, the employee will be paid 2/3 of the employee's regular rate of pay (capped as indicated below) as defined under the Fair Labor Standards Act (29 U.S.C. § 207(e)). Part-time employees are entitled to pay based on 2/3 of their regular pay based on the number of hours they would otherwise have been scheduled to work during the time they are taking leave.

In the case of an employee whose schedule varies from week to week to such an extent that an employer is unable to determine with certainty the number of hours the employee would have worked if the employee had not taken leave, the employer must use the following criteria:

1. A number equal to the average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee commences leave, including hours for which the employee took any type of paid leave; or
2. If the employee did not work over the preceding 6-month period, the reasonable expectation of the employee at the time of hiring of the average number of hours per day that the employee would normally be scheduled to work.

Pay under the EFMLEA is capped at \$200 per day and \$10,000 in the aggregate.

Employees may elect to use accrued leave from any leave bank source to supplement the 2/3 regular rate being paid while on EFMLEA.

2070.24 Request Procedure

An employee using Emergency Family Medical Leave must certify the need for the leave in writing at the time of request. The General Manager will provide a Certification of Need for leave form. Completed forms shall be submitted to the employee's supervisor or directly to the General Manager prior to initiating leave. When Emergency Paid Sick Leave is being requested in coordination with Emergency Family Medical Leave, both requests should be submitted together. The General Manager may request, and the employee must provide, additional information reasonably necessary to determine eligibility for leave.

In the event of a medical emergency where the employee is unable to provide the form prior to initiating leave, such form shall be submitted as soon as reasonably practicable. Forms shall be submitted by way of fax or via email to the General Manager.

2070.25 Response to Leave Requests

RCSD will confirm an employee's eligibility for leave or provide an explanation as to why they are not eligible.

2070.26 Reinstatement

Employees out on Emergency Family and Medical Leave are entitled to reinstatement to their prior position.

Reinstatement may, in certain circumstances set forth by statute, be denied to certain "highly compensated" positions. Such employees will be notified of this possibility at the time the request for leave is processed.

2070.30 Leave Under the Emergency Paid Sick Leave Act (EPSLA)

2070.31 Eligibility

All employees are eligible for EPSLA regardless of how long they have been employed with the agency if:

1. The employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19.¹
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
3. The employee is experiencing symptoms of COVID-19 and is seeking a diagnosis.
4. The employee is caring for an individual under quarantine or isolation order, or advised by a health care professional to self-quarantine.
5. The employee is caring for his or her child whose school or place of care is closed (or childcare provider is unavailable) due to COVID-19 related reasons.
6. The employee is "experiencing any substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and Secretary of Labor." The statute does not provide any guidance on what this language means. It is believed Congress intended to insert a placeholder

¹ This includes "shelter in place" or "stay at home" orders.

to expand eligibility later if an unexpected need arises, therefore eligibility under this item is subject to future update and clarification by Congress.

Eligibility is based on any of the above reasons, however any one employee may only use their total allotted EPSLA time, even if used for different reasons.

2070.32 Compensation and Duration of Leave

Leave taken as Emergency Paid Leave is in addition to any other leave accrued and does not accrue beyond 80 hours. Unused leave does not carry over after December 31, 2020 for any employees.

For leave taken under Section 2070.31, paragraphs (1), (2), or (3), full time employees are entitled to 80 hours of paid leave at their regular rate of pay, subject to a \$511 per day and \$5,110 aggregate cap. Part-time employees are entitled to paid leave for the average number of hours worked over a 2-week period at their regular rate of pay, subject to the same cap.

For leave taken under paragraphs (4), (5), or (6), full time employees are entitled to 80 hours of paid leave at 2/3 their regular rate of pay, subject to a \$200 per day and \$2,000 aggregate cap. Part-time employees are entitled to paid leave for the average number of hours worked over a 2-week period at 2/3 their regular rate of pay, subject to the same cap.

Employees are not required to use other available paid leave (such as leave accruals available to the employee) before using sick leave under EPSLA. Employees are not required to find replacements to cover their duties during use of leave. Employers are prohibited from discharging or discriminating against any employee for requesting or taking paid sick leave under the EPSLA.

Employees may elect to use accrued leave from any leave bank source to supplement the 2/3 regular rate being paid while on EPSLA under reasons (4), (5), or (6).

2070.33 Coordination with EFMLEA

An employee requesting leave under EFMLEA will qualify for paid leave under Section 2070.31 paragraph (5) and therefore, such employee may use EPSLA during the initial two week, unpaid period of EFMLEA. Such employee is not required to use EPSLA for that purpose.

If an employee is requesting leave under EPSLA under paragraph (4), EPSLA is available to employees for the care of that individual.

2070.34 Request Procedure

An employee using EPSLA leave must certify the need for the leave in writing at the time of request. The General Manager will provide a Certification of Need for Leave form. Completed forms shall be submitted to the employee's supervisor or directly to the General Manager prior to initiating leave. When Emergency Paid Sick Leave is being requested in coordination with Emergency Family Medical Leave, both requests should be submitted together. The General Manager may request, and the employee must provide, additional information reasonably necessary to determine eligibility for leave.

In the event of a medical emergency where the employee is unable to provide the form prior to initiating leave, such form shall be submitted as soon as reasonably practicable. Forms shall be submitted by way of fax or via email to the General Manager.

2070.35 Response to Leave Requests

The District will confirm an employee's eligibility for leave or provide an explanation as to why they are not eligible.

2070.36 Reinstatement

Upon return from an approved EPSLA, an employee will be reinstated to the employee's original position or to a comparable position with equivalent pay, benefits, and other employment terms and conditions for which the employee is qualified. However, an employee has no greater rights to any benefit or position of employment than if the employee had been continuously working rather than on leave.

Attachments:

Employee Certification of Need for Emergency Family and Medical Leave
Employee Certification of Need for Paid Emergency Sick Leave

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM H-3

DATE: May 12, 2020

TO: Honorable Board of Directors

FROM: General Manager Joe Mendoza

SUBJECT: PROFIT/LOSS STATUS AND EMPLOYEE STAFFING OPTIONS IN RESPONSE TO COVID-19 (CORONAVIRUS) RELATED ECONOMIC IMPACTS TO THE ROSSMOOR COMMUNITY SERVICES DISTRICT AND BUDGET REDUCTION CONSIDERATIONS

RECOMMENDATION:

It is recommended that the Rossmoor Community Services District (RCSD) Board of Directors review the information provided and direct the General Manager regarding:

1. Budget reductions to offset loss of revenue; and
2. Staffing options.

BACKGROUND

Since March 2020, the Rossmoor Community Services District (RCSD) has been faced with many challenges related to the COVID-19 (coronavirus) pandemic. In an effort to follow the mandates of the State of California and County of Orange, District facilities have been closed and rentals suspended. This has resulted in a loss of revenue. In addition, some District staff have been telecommuting, while others have been working onsite providing essential services and performing preventive maintenance. As COVID-19 continued, it became important to the District to analyze lost revenue, staff productivity, and take a look at long-term adjustments that may need to be evaluated to ensure the continued fiscal health of the District.

PROFIT/LOSS STATUS

As a result of the closure of our facilities and loss of revenue due to user fees and rentals, we are closely monitoring our profit/loss status, reviewing possible savings, and considering curtailment options. In addition, it is

unknown whether there will be a loss of property tax revenue to the District due to COVID-19 related issues (i.e. job loss, delayed mortgage and property tax payments, possible foreclosures, etc.). The attached report (Attachment 1) indicates the District will have an overall estimated revenue loss of \$56,176 through the end of the fiscal year.

In itemizing potential cost savings, a number of items were identified that could offset loss of revenue. Some costs savings were a result of cancelled events, some from possible reduction in meeting costs, eliminating printing and mailing of the quarterly newsletter by using only an online version, and eliminating the janitorial service contract and utilizing District staff.

In reviewing the cost savings items, one of the largest cost items is the mailing and printing of the quarterly newsletter. The newsletter could move to an online-only format to eliminate the cost of postage and printing. While it is not anticipated that this would have a negative impact on the community, the online-only format could be tested for the next two newsletters and if it appears the online-only format is not well-received, a user survey could be considered.

The largest cost item listed is Clean Net for janitorial and trash collection services at our parks. The current contract is inadequate, does not have a performance clause, and the company has had difficulty in providing consistent service. This is well-documented and if any change is forthcoming, a one-month notice is required. To facilitate this option, our staff would be scheduled to perform this service and the District could take a wait and see approach for the next six months. At that time, this could be reevaluated to determine if the District should go out to bid for janitorial and trash collection services for our parks.

RCSD EMPLOYEE STAFFING OPTIONS

The COVID-19 pandemic related closures have been a challenge to our operation. The following information is provided regarding Rossmoor Community Services District staffing options and budget considerations in response to the COVID-19 related economic impacts to the RCSD. The goal is to ensure that the District resources are being used efficiently by reviewing current staffing levels and determine how staff can best be utilized to serve the residents of Rossmoor.

The immediate need is to determine whether to furlough employees and decide on what budget curtailments to consider. Outlined are the following staff options:

- 1) Option 1: No Staff Payroll Reduction – this option would allow the District to wait a little longer to see if restrictions are lifted and the District office and facilities could be reopened in the near future. During this time, the General Manager has adjusted staff duties in an attempt to make this time as productive as possible, by getting back to basics. As we prepare for a return to work, office staff could be assigned one day a week to work at the District office alone to clean their files, go through their desk, create a procedure manual for their area, etc. If the Clean Net contract was eliminated by the Board to save money, RCSD staff could assume the duties of Clean Net, as well as taking on maintenance projects that would otherwise be contracted out (i.e. painting, etc.).

The next two options involve furloughing employees.

- 2) Furlough Option 2: 10% Staff Payroll Reduction – this would provide the District with an opportunity to reduce expenses in order to make up for lost revenue. Each staff member would be furloughed 26 days per year – taking off either the first and third Monday of the month, or the first and third Friday of the month, plus two additional days to be determined; or by closing the District Office two days per month, with two additional days to be determined. Administrative/office staff would all be scheduled to work 8:30 a.m. to 5 p.m., and schedules would be adjusted as needed to cover Board meetings, community meetings and events, without using overtime or comp time.

This method would create a need for cross-training and job sharing, while saving the District on payroll expense. In order to continue service to our community, Parks and Recreation staff would be required to work a varied schedule. District policy states that the work week is a seven-day schedule with varied hours.

- 3) Furlough Option 3: 20% Staff Payroll Reduction – this option provides the District with the greatest cost savings, and possibly the best way to incrementally restore hours as warranted. Many of the same observations that were outlined for Option 1 could be applied to this option.

Furloughing employees is a difficult decision; however, governmental agencies and school districts are having to make these tough decisions. The initial impact may be challenging; however, a recent provision of the CARES Act is for California workers who have had their hours cut as little as 10% due to the coronavirus outbreak. The motivation is to encourage businesses to reduce employees' hours rather than lay them off. These employees may

now be eligible to receive the entire \$600 per week federal subsidy through the work-sharing program, allowing an employee to continue to work with reduced hours while receiving prorated unemployment benefits and the \$600 per week unemployment supplement. The benefits are federally funded and would not affect the unemployment rate the District currently pays. Staff is attempting to get the full information about this program from the State of California Employment Development Department (EDD). Because this is a newly announced benefit, it has been difficult to reach a representative to ask questions about the process and how long it would take for an agency to be approved.

Governor Newsom announced on May 4, 2020 that those California businesses seen as presenting less risk of spreading the coronavirus could begin opening in the near future as part of what he suggested would be slow steps toward easing the statewide shutdown order. While this sounds hopeful, the specifics are still unknown. It is anticipated that restrictions will remain to limit attendance or activities, and that social distancing will continue.

ATTACHMENTS:

1. Profit/Loss Status, Possible Savings, Possible Curtailment Options
2. Possible Furlough Options
3. Los Angeles Times article (April 27, 2020) – *Quirk in coronavirus relief law gives full \$600 a week even to workers facing only cut hours*
4. Information from State of California Employment Development Department website regarding *Work Sharing Program*

PROFIT/LOSS STATUS, POSSIBLE SAVINGS, POSSIBLE CURTAILMENT OPTIONS

Revenue – Estimated Profit/Loss

Category	March 2020 (Partial Month) Estimated	March 2019*	April 2019*	May 2019*	June 2019*
Tennis	\$1,315	\$1,922	\$2,129	\$1,128	\$1,785
Wall Sign	0	\$40	\$44	\$20	\$60
Ball Fields	\$549	\$2,161	\$3,203	\$1,246	\$2,369
Rossmoor Park Rent	\$1,196	\$1,843	\$1,918	\$330	\$1,783
Montecito Center Rent	\$2,109	\$2,716	\$2,990	0	\$3,392
Rush Park Rent	\$1,723	\$7,736	\$7,669	\$1,460	\$9,651
Miscellaneous	\$271	0	\$35	0	0
Refunds Issued	(\$4,209)	--	--	--	--
Total	\$2,954	\$16,418*	\$17,988*	\$4,184*	\$19,040*
Cumulative Profit/Loss					\$54,676

* Anticipated loss based on 2019 actuals for March, April, May, June

Note: Estimated March revenue for rentals was \$7,163; \$4,209 in refunds issued; actual revenue for March \$2,954.

COVID-19 Related Incidental Costs

Additional sanitizing supplies, facial masks for staff, protective gloves for staff, etc.	\$1,500
Subtotal Profit/Loss	\$56,176

Potential Cost Savings – Based on Budgeted Allocations For Canceled Events, Board Meetings Costs, Newsletter, Janitorial Service, etc.

Event/Meeting	Cost Savings
Audio Visual – Board Meetings (April, May, June – held by teleconference only)	\$4,461
Community Festival	\$2,000
Concerts and Movies in the Park	\$4,500
Shakespeare in the Park	\$14,683
Board stipends would be reduced in accordance with staff payroll deductions, if furloughs are implemented.	To be determined
RCS D Newsletter (quarterly @ \$1,800) – eliminate print version; move to online only with a few newsletters copied in-house for distribution if requested)	\$7,200
Clean Net (janitorial services – daily restroom cleaning and trash disposal) – eliminate contract	\$21,588
Total Savings	\$54,432
Subtotal Profit/Loss	\$1,744

Potential Cost Savings – Utilities

Location	April 2019 - Actual	Cost Savings (75% reduction for closures)
Rossmoor Park	\$910	\$683
Rush Park	\$1569	\$1177
Montecito Center	\$273	\$259
Mini Parks	\$60	No reduction
Total Savings	\$2812	\$2,119
Subtotal Profit/Loss		\$375

Possible Curtailment Options – Savings: Option 1 - No Staff Payroll Reduction

Item	Approximate Savings Per Month	Proposed Annual Savings
Overtime – reduce staff overtime to zero	\$1,000	\$12,000
Total savings with Option 1	\$1,000	\$12,000

Possible Curtailment Options – Savings: Option 2 - 10% Staff Payroll Reduction

Item	Approximate Savings Per Month	Proposed Annual Savings
Overtime – reduce staff overtime to zero	\$1,000	\$12,000
Option 2: 10% reduction	\$3,900	\$46,800
Full-time employees – reduce payroll by 10% through furlough <i>This could be achieved by furloughing employees for 26 days per year (2 per month with 2 additional days to be determined):</i> <i>a) The District office would NOT be closed; staff schedules would be staggered to provide coverage. Some staff would rotate to be off the first and third Monday or Friday to ensure that facilities are monitored; or</i> <i>b) The District would be closed two Fridays per month.</i>		
Reduce Board member stipends by 10% (FY 2019-2020 reflects \$8,000 annually)	\$67	\$800
Total savings with Option 2	\$4,967	\$59,600

Sample - Four Day Work Week Staff Schedule – 10% Staff Payroll Reduction**Parks and Recreation Staff**

Employee	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Chris A.		8:30 a.m. – 5 p.m./*	12:30 p.m. – 9 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	
Omero P.		8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m./*	
Tim J.		11 a.m. – 7:30 p.m.		11 a.m. – 7:30 p.m.		11 a.m. – 7:30 p.m./*	8:30 a.m. – 5 p.m.
Joel P.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m./*	11 a.m. – 7:30 p.m.		11 a.m. – 7:30 p.m.		

*staff will have the 1st and 3rd Monday or Friday off (i.e. Chris and Joel would be off the 1st and 3rd Mondays – working the 2nd and 4th Mondays; while Omero and Tim would be working those Mondays and then off the 1st and 3rd Fridays, and those days covered by Chris or Joel or a part-time staff.

Administrative/Office/Trees

Employee	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Kathy B.		8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m./*	
Liz D.		8:30 a.m. – 5 p.m./*	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	
Jessica V.		8:30 a.m. – 5 p.m./*	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	
Mary K.		8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m./*	

*staff will have the 1st and 3rd Monday or Friday off (see staffing explanation above)

Possible Curtailment Options – Savings: Option 3 – 20% Staff Payroll Reduction

Item	Approximate Savings Per Month	Proposed Annual Savings
Overtime – reduce staff overtime to zero	\$1,000	\$12,000
Option 3: 20% reduction	\$7,800	\$93,600
Full-time employees – reduce payroll by 20% through furlough <i>A way to achieve this would be to furlough employees for one day per week – creating a four day work week.</i> <i>a) The District office would NOT be closed; staff schedules would be staggered to provide coverage. Under this plan, it would be advantageous to use part-time employees for coverage and flexibility; or</i> <i>b) The District would be closed every Friday (or another weekday) to maximize staff coverage and continuity.</i>		
Reduce Board member stipends by 20% (FY 2019-2020 reflects \$8,000 annually)	\$133	\$1,600
Total savings with Option 3	\$8,933	\$107,200

Sample - Four Day Work Week Staff Schedule – 20% Staff Payroll Reduction

Parks and Recreation Staff

Employee	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Chris A.		8:30 a.m. – 5 p.m.	12:30 p.m. – 9 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.		
Omero P.			8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	
Tim J.		1 p.m. – 7:30 p.m.		1 p.m. – 7:30 p.m.		1 p.m. – 7:30 p.m.	8:30 a.m. – 6 p.m.
Joel P.	9:30 a.m. – 7 p.m.	8:30 a.m. – 3 p.m.	1 p.m. – 7:30 p.m.		1 p.m. – 7:30 p.m.		

Administrative/Office/Trees

Employee	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Kathy B.			8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	
Liz D.		8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.		
Jessica V.		8:30 a.m. – 3 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.		
Mary K.			8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	8:30 a.m. – 5 p.m.	

Notes: These are sample schedules. The weekends could be covered with additional part-time staff or full-time staff may need to adjust schedules to provide two people working on a weekend, especially during daylight savings time months.

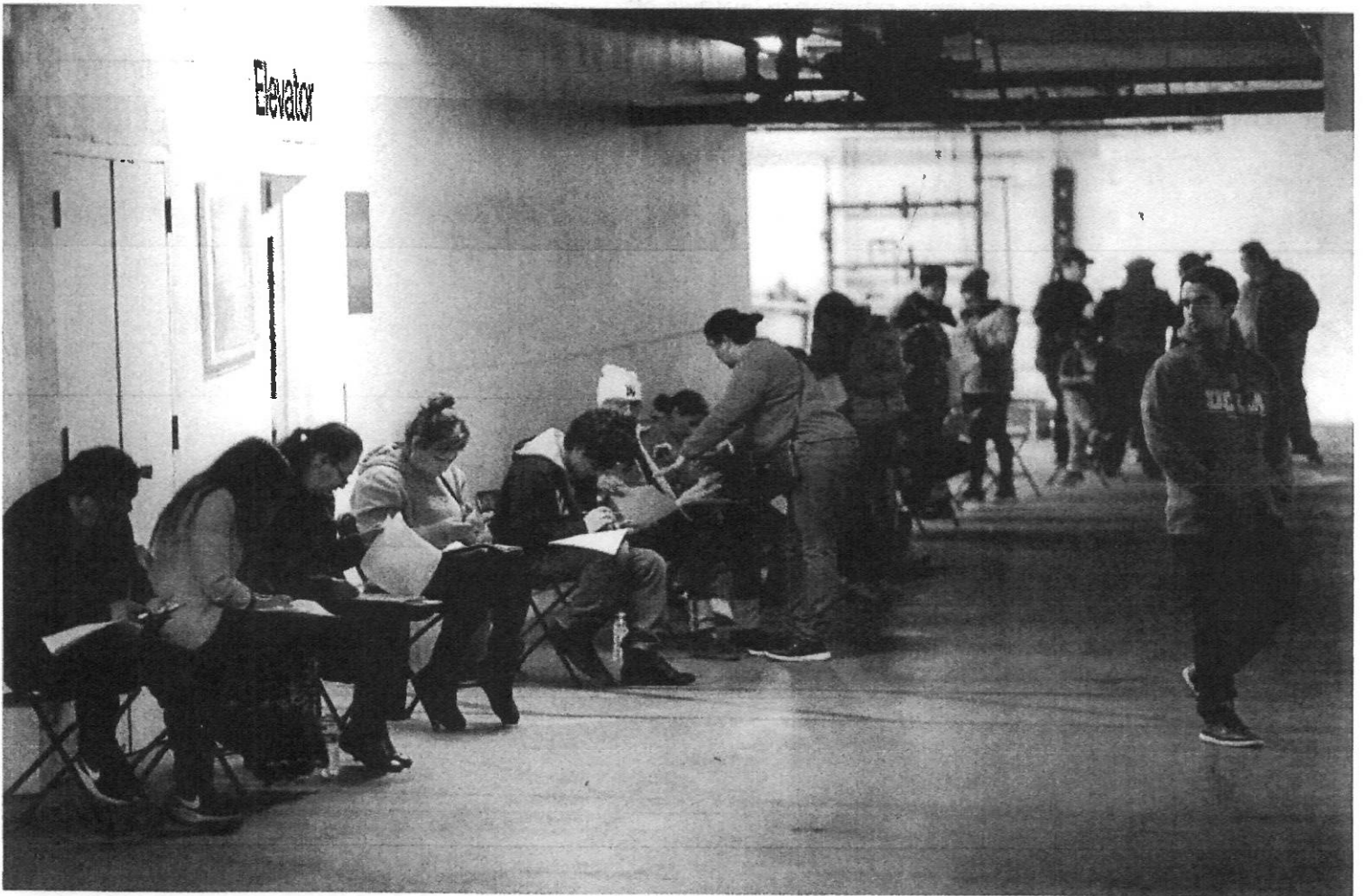
The General Manager will work a varied schedule and may need to substitute when necessary to cover sick leave, vacation time, and other callouts as necessary.



ADVERTISEMENT

POLITICS

Quirk in coronavirus relief law gives full \$600 a week even to workers facing only cut hours



People apply for unemployment benefits in Los Angeles this month. (Marcio Jose Sanchez / Associated Press)

By SARAH D. WIRE
STAFF WRITER

APRIL 27, 2020 | 2:32 PM



WASHINGTON — California workers who see their hours cut as little as 10% due to the coronavirus outbreak are eligible to receive the entire \$600-a-week federal subsidy offered in the \$2-trillion federal rescue package, state officials and employment experts say.

That means in some cases, workers in California — and across the country — could end up temporarily receiving far more from the government for those lost hours than they would have earned by working them.

In practice, however, few companies and workers so far are taking advantage of the benefits, partly because of the unprecedented backlog of unemployment claims in California and other state unemployment offices, and partly because many business owners don't yet fully understand the incentives created by the CARES Act to encourage businesses to reduce employees' hours rather than lay them off.

Empty L.A.: In the time of coronavirus



“If employers knew about this option for their workers, there’s a lot of free money floating around, and it’s shocking that so few people take it up,” said Till von Wachter, a UCLA economics professor. “There are substantial financial gains and opportunities for workers in the current environment, and it’s just crazy that nobody’s taking it up.”

While it was widely known that the flat \$600-a-week federal unemployment supplement would be temporarily paid to workers who lost their jobs during the pandemic, less understood — including by some lawmakers — was that it would also apply to any worker receiving prorated unemployment benefits because their hours had been reduced through a so-called work-sharing or short-time program.

Such programs have been available in about 26 states for years. In California, benefits previously paid in approved work-sharing plans were proportionate to the hours reduced. In other words, a worker whose hours were cut 50% would receive 50% of the unemployment benefits paid if they were laid off.

The federal bailout package for the first time dramatically expanded coverage and incentives for work-sharing programs, including the extra \$600 a week, which is not adjusted to reflect the actual reduction in hours.

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“As long as you are receiving at least \$1 in unemployment insurance, you are eligible for the \$600,” Employment Development Department spokesman Aubrey Henry said.

That came as a surprise to Sunil Kohli, 59, chief executive of Health Plus Inc. in Chino, whose company was recently approved for California’s work-sharing program. The firm, which manufactures dietary supplements, has cut the hours of 19 of its 28 employees by 20%. He assumed the federal subsidy would be prorated by the same amount.



“Wow, then they’ll come out ahead actually. Good for them,” Kohli said of his workers facing reduced hours.

Kohli said he jumped at the chance to keep employees on the payroll, calling them part of his family. He said sales at his company declined as health stores such as GNC closed and governors across the country issued stay-at-home orders.

“I don’t want to let go of my people,” Kohli said. “It feels horrible.”

Kohli’s office manager Karen Chastain said some of their employees will make substantially more a week because of the flat \$600 weekly federal payout.

“They are going to make way more money. There are some people here — probably several people — who don’t even make that much a week,” Chastain said. “It doesn’t seem to really be well thought out. It really doesn’t make much sense.”

In California, many workers getting their hours cut to four days a week from five could receive hundreds of extra dollars a week in work-sharing programs, according to an analysis by Von Wachter, who studies work-sharing.

“Nobody should take a substantial pay cut to help their employer out. That’s what the stimulus bill addresses,” Von Wachter said. An employer “could easily reduce everybody’s workday by one hour, put them on short-time [unemployment] compensation, and they would get 600 bucks a week. So that’s very beneficial to workers, and every employer in their right mind would want to help their workers out that way.”

But according to the latest figures, claims made through work-sharing programs represent only a fraction of total unemployment claims. As 26 million new claims were filed nationwide in the last five weeks, there were just 39,864 people nationwide claiming benefits through a work-sharing program as of April 4, according to the most recent data from the Labor Department.

CALIFORNIA

Californians battling unemployment amid coronavirus are stymied by state agency's tech issues

April 27, 2020

Work-sharing programs, first introduced in California in 1978 and now on the books in more than half of states, were designed as an alternative to layoffs that would allow companies to rebound quickly after periods of economic strain. Rather than cutting a percentage of staff, employers could make a deal with their state. In California, employees whose hours are reduced by at least 10% but no more than 60% have been able to receive prorated unemployment benefits — and now \$600 more.

Employees are eligible only if their employer fills out paperwork with the state.

Work-sharing programs saved more than half a million jobs during the Great Recession, according to an analysis of federal data by think tank Pew Research Center. In California alone, 356,571 employees were on work-share in 2009 and 2010, according to the EDD.

The economic relief Congress passed in March threw in a variety of incentives for employers to use work-sharing programs — including a temporary break on state payroll taxes — and millions of dollars to help states create or run the initiatives.

Some lawmakers didn't realize how generous those federal incentives would be, including even senators who raised alarms before the bill was passed about how the flat \$600 subsidy would pay some laid-off workers more per week than their previous paychecks, creating a disincentive to work.

South Carolina Republican Sen. Tim Scott, one of those who supported a failed amendment to ensure no worker received more on unemployment than they would have otherwise been paid, said he was not aware that work-share employees would also receive the full \$600 a week. He said his concern is that the federal subsidy will put pressure on companies to raise wages to compete with what people can make on unemployment.

But the effect of the extra \$600 was debated during the law's crafting. The flat \$600 federal payout was a recognition from Congress that state unemployment systems were going to be beleaguered with millions of new unemployment

claims — including many from people who traditionally don't qualify, such as gig workers.

They concluded that offering a flat amount based on national averages would be the fastest, most efficient way to get money to those who need it. The archaic state systems are not technologically advanced enough to deal with prorating the federal subsidy to just make up the difference between what a state offers in unemployment and what a worker's normal take-home pay would be, Upjohn Institute economist Susan Houseman said.

"They needed to do something that was very, very simple," she said. "Was that ideal? No, it was not. But they were just trying to get a system in place that would get out the benefits."

In the end, the determination by Congress was that "the people who will be making more — either as unemployed or work share-short time — are people who are relatively low-wage anyway," Houseman said.

Providing the \$600-a-week federal supplement to people who were laid off, but not to those whose hours are reduced, might have caused employers to decide that workers would be better off financially if they lost their jobs, Houseman said.

"If you didn't have the \$600 applying to people on work-share, it could have been a disincentive," Houseman said.

But she acknowledged that some businesses with work-share employees who make more money with the federal subsidy might find it harder to resume full-time operations until the \$600-a-week payout ends July 31, assuming Congress does not extend it. In essence, the businesses would be asking employees to work more hours for less money.

"Think of the morale problems," Houseman said.

POLITICS BUSINESS CORONAVIRUS PANDEMIC



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Work Sharing Program

[En español](#)

Employers can apply for the Unemployment Insurance (UI) Work Sharing Program if reduced production, services, or other conditions cause them to seek an alternative to layoffs.

The Work Sharing Program helps employees whose hours and wages have been reduced:

- Receive UI benefits.
- Keep their current job.
- Avoid financial hardships.

The Work Sharing Program helps employers:

- Minimize or eliminate the need for layoffs.
- Keep trained employees and quickly prepare when business conditions improve.
- Avoid the cost of recruiting, hiring, and training new employees.

Requirements

To participate, employers must meet **all** of the following requirements:

- Be a legally registered business in California.
- Have an active California State Employer Account Number.
- At least 10 percent of the employer's regular workforce or a unit of the workforce, and a minimum of two employees, must be affected by a reduction in hours and wages.
- Hours and wages must be reduced by at least 10 percent and not exceed 60 percent.
- Health benefits must remain the same as before, or they must meet the same standards as other employees who are not participating in Work Sharing.
- Retirement benefits must meet the same terms and conditions as before, or they must meet the same as other employees not participating in Work Sharing.
- The collective bargaining agent of employees in a bargaining unit must agree to voluntarily participate and sign the application for Work Sharing.
- Identify the affected work units to be covered by the Work Sharing plan and identify each participating employee by their full name and Social Security number.
- Notify employees in advance of the intent to participate in the Work Sharing program.
- Identify how many layoffs will be avoided by participating in the Work Sharing program.
- Provide the EDD with any necessary reports or documents relating to the Work Sharing plan.

Restrictions

- Leased, intermittent, seasonal, or temporary service employees cannot participate in the Work Sharing Program.
- Corporate officers or major stock holders with investment in the company cannot participate in the Work Sharing Program.
- The Work Sharing Program cannot be used as a transition to a layoff.

Plan Application

Apply for a Work Sharing plan by completing and mailing the [Work Sharing \(WS\) Unemployment Insurance Plan Application \(DE 8686\) \(PDF\)](#).

The earliest date for a new Work Sharing plan to become effective is the Sunday before the first date you contact the EDD. All Work Sharing plans are approved for one year.

Employers can renew a Work Sharing plan by completing and mailing the [Work Sharing \(WS\) Unemployment Insurance Plan Application \(DE 8686\) \(PDF\)](#). A Work Sharing plan will be renewed the day after your previous plan expires.

Note: Your plan application will only renew if it is submitted no more than 10 days after your previous plan has expired. Otherwise, your plan will become effective the Sunday before the date we receive your application.

Contact Us

Employers

If you need additional information on the Work Sharing Program, contact the EDD Special Claims Office at 916-464-3343.

Employees

If you are approved by your employer to participate in the Work Sharing Program and have questions regarding your claim, contact the EDD Special Claims office at 916-464-3300.

Resources

- [FAQs – Work Sharing Information for Employees](#)
- [FAQs – Work Sharing Information for Employers](#)
- [Work Sharing Employer Requirements and Criteria \(DE 8686RQ\) \(PDF\)](#)
- [Work Sharing Application \(DE 8686\)](#)
- [A Guide For Work Sharing Employers \(DE 8684\) \(PDF\)](#)
- [Work Sharing Unemployment Insurance Program Fact Sheet \(DE 8714BB\) \(PDF\)](#)
- [Layoff Alternatives](#)
- [Unemployment Insurance An Alternative to Layoffs: Work Sharing \(DE 2329\) \(PDF\)](#)

FACT SHEET



WORK SHARING UNEMPLOYMENT INSURANCE PROGRAM

This California program allows for the payment of Work Sharing Unemployment Insurance benefits to individuals whose wages and hours have been reduced. The program is considered a temporary and practical alternative to layoffs. For example:

- Due to an economic downturn, an employer with 100 employees finds it necessary to lay off 20 employees. However, rather than lay off these employees, the employer participates in the Work Sharing program. The employer keeps all 100 employees on the payroll but reduces their workweek from five days to four days, thereby achieving the same desired 20 percent reduction in payroll. All 100 employees continue to earn wages for four days and also are eligible for Work Sharing benefits for the fifth (nonworking) day. The employer retains all trained staff and, when business improves, the employees resume their five-day work schedule.

Background

California's Work Sharing program was the first program of its kind in the nation. It was established by the California State Legislature in 1978 under Senate Bill 1471. The objective of the Work Sharing program is to help employers and employees avoid some of the burdens that accompany a layoff situation. If employees are retained during a temporary slowdown, employers can quickly gear up when business conditions improve. Employers are spared the expense of recruiting, hiring, and training new employees. Employees are spared the hardship of total unemployment.

Who May Participate in Work Sharing?

Any employer who has a reduction in production, services, or other conditions that cause the employer to seek an alternative to layoffs may participate in the Work Sharing program. Some of the specific requirements are:

- A minimum of two employees, comprising at least 10 percent of the employer's regular workforce or a unit of the workforce, must be affected by a reduction in wages and hours worked.
- The reduction in weekly wages and hours worked also must be at least 10 percent, not to exceed 60 percent.

- The company will maintain employees' health and retirement benefits under the same terms and conditions as prior to the reduction in hours and wages or to the same extent as other employees not participating in the plan.
- A corporate officer or major stocker holder who is deemed to have significant investment in the company may not participate in the Work Sharing Program.

How Does an Employer Participate in Work Sharing?

To participate in this program, employers may call or write:

EDD Special Claims Office
PO Box 419076
Rancho Cordova, CA 95741-9076
916-464-3343

The Special Claims Office will mail interested employers a *Work Sharing Plan Application*, DE 8686 and other general information, or the employer may download the *Work Sharing Plan Application*, DE 8686 from the Internet at www.edd.ca.gov/pdf_pub_ctr/de8686.pdf.

What Happens After the Employer's Work Sharing Plan Application is Approved?

The Special Claims Office in Sacramento sends the employer a letter of approval, one mail claim packet for each participating employee, and a ten-week supply of weekly certification forms for each employee. During the weeks of reduced hours and wages, the employer issues the certification forms to the participating employees.

All Work Sharing claims are filed by mail. The employer and participating employee complete the documents contained in the mail claim packet. After completion, the documents are mailed to the Special Claims Office to establish an Unemployment Insurance claim. Employees approved to participate in the program must meet regular Unemployment Insurance claim filing requirements. After the Unemployment Insurance claim is filed, the employer issues a certification form to each participating employee.

Benefits are paid weekly proportionate to the percentage of reduction in hours and wages. For example:

- An employee normally works a five-day workweek and is paid \$500. If this employee's workweek is reduced to four days, the employee's weekly wages would be \$400. This is a 20 percent reduction in wages and hours. The Work Sharing benefits for this employee are 20 percent of the Unemployment Insurance benefits the employee would receive if the employee were totally unemployed. If the employee's weekly Unemployment Insurance benefit amount is \$300, the employee would qualify for \$60 in Work Sharing benefits. This results in a reduction in gross wages of only \$40 for that week (\$400 + \$60 = \$460).

How is the Employer Charged?

Employers are charged for Work Sharing Unemployment Insurance benefits in the same manner as for regular Unemployment Insurance benefits. Questions regarding employer charges may be directed to:

EDD Contribution Rate Group
916-653-7795

The Advantages of Work Sharing

The Work Sharing program can meet employers' needs due to its built-in flexibility and possible variations by:

- Minimizing or eliminating the need for layoffs and the accompanying hardships for employees.
- Enabling a business to retain trained employees and avoid the expense of recruiting, hiring, and training new employees.

- Retaining employees during a temporary slowdown allowing employers to quickly gear-up when business conditions improve.
- Treating employees more equitably than layoffs, which place the burden of economic adjustments for an entire business on relatively few employees.
- Allowing almost all types of business or industry.

For More Information

For further information, please contact:

EDD Special Claims Office
PO Box 419076
Rancho Cordova, CA 95741-9076
916-464-3343

For additional information on other EDD programs and services, please visit EDD's Internet site at www.edd.ca.gov.

The EDD is an equal opportunity employer/program.
Auxiliary aids and services are available upon request to individuals with disabilities.

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM H-4

DATE: May 12, 2020

TO: Honorable Board of Directors

FROM: General Manager Joe Mendoza

SUBJECT: DISCUSSION WITH THE GENERAL MANAGER REGARDING
REOPENING DISTRICT OFFICE AND RECREATIONAL FACILITIES
FOLLOWING COVID-19 (CORONAVIRUS) RELATED CLOSURES

RECOMMENDATION:

It is recommended that the Rossmoor Community Services District (RCSD) Board review District facilities and amenities and provide direction regarding which operations should reopen based on State and County of Orange health directives.

BACKGROUND:

On March 4, 2020, Governor Gavin Newsom of the State of California, declared a State of Emergency as a result of the threat of the spread of COVID-19 (coronavirus). Subsequently, the Governor issued Executive Order N-33-20 that ordered all California residents to stay in place and identified certain essential functions to remain operational.

On March 23, 2020, the RCSD Board proclaimed a State of Emergency. The Rossmoor Community Services District (RCSD) closed operations beginning March 16, 2020 in order to safeguard the Rossmoor community and District staff, and to curtail the spread of the coronavirus. District facilities that were impacted include community centers, athletic fields, tennis courts, basketball courts, a sand volleyball court, playgrounds, and picnic shelters, as well as the District administrative office.

The District has continued to monitor State and County guidelines and have implemented safeguards that have been recommended.

INFORMATION:

On May 4, 2020, Governor Newsom announced that beginning Friday, May 8, some retail stores across the state could reopen with modifications. Further details would be forthcoming. At the time this report was written, this information had not been announced. Therefore, the General Manager will have a verbal update at the Board meeting.

In preparation for possible reopening of facilities and amenities, the General Manager and staff met on Thursday, May 7, 2020 with representatives from the cities of Cypress, Los Alamitos, and Seal Beach, as well as the Los Alamitos Unified School District. The purpose of this meeting was to discuss protocols and plans to reopen facilities and what that may look like with new social distancing requirements and other COVID-19 related safeguards. To date, the City of Seal Beach has announced they will be reopening their tennis center beginning Monday, May 11. Since many of our users cross over among our respective boundaries, collaboration and communication is important in order to be as consistent as possible in our efforts.

ATTACHMENTS: None

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM H-5

DATE: May 12, 2020

TO: Honorable Board of Directors

FROM: Tarquin Preziosi, General Counsel

SUBJECT: Clarification Regarding Holiday Overtime Pay

BACKGROUND:

The Board of Directors has requested an explanation of when and under what authority employees of the District are entitled to premium pay for working overtime on holidays.

SUMMARY:

Non-exempt employees are entitled to time and a half their hourly rate for working in excess of 40 hours a week or for working on a holiday. They are not entitled to greater compensation beyond time and a half their hourly rate if overtime is worked on a holiday. Under no circumstances are District employees entitled to double time and a half (i.e., 2.5 times) their hourly rate.

Analysis:

The Fair Labor Standards Act and California Labor Code

There are two sets of wage and hour laws that both apply to most employers in California. The Fair Labor Standards Act ("FLSA") and the California Labor Code ("Cal. Lab. Code").

The FLSA

The FLSA applies to private businesses that have an annual dollar volume of sales or business done of at least \$500,000 and to hospitals, businesses providing medical or nursing care for residents, schools and preschools, and

public agencies.¹ "Public Agency" is defined in section 203 (x) of the FLSA. It means "the Government of the United States, the government of a State or political subdivision thereof, any agency of the United States, a State, or a political subdivision of a State, or any interstate governmental agency."² A community services district is considered a political subdivision.³ As such the District falls within the definition of a public agency and therefore must comply with FLSA.

Overtime under the FLSA is defined as hours worked in excess of 40 hours in a week, and must be compensated at the rate of time and a half the regular rate of pay.⁴ The FLSA does not require overtime pay for work on Saturdays, Sundays, holidays, or regular days of rest, unless overtime hours are worked on such days. Additionally, the FLSA has no requirement for double time pay.⁵

The California Labor Code

The Cal. Lab. Code applies to employers who 1) control the wages, hours, or working conditions of an employee, or 2) suffer/permit him/her to work, or 3) "engage" the employee to work, as defined by the common law.⁶

Cal. Lab. Code § 510 (a) provides, in relevant part that any work in excess of 8 hours in one workday and any work in excess of 40 hours in any one workweek and the first eight hours worked on the seventh day of work in any one workweek shall be compensated at the rate of no less than one and one-half times the regular rate of pay for an employee.⁷

Cal. Lab. Code § 510 also indicates that any work in excess of 12 hours in one day shall be compensated at the rate of no less than twice the regular rate of pay for an employee. Further, any work in excess of eight hours on any seventh day of a workweek shall be compensated at the rate of no less than twice the regular rate of pay of an employee.⁸

¹ 29 USC § 203 (s)(1)

² 29 USC § 203 (x)

³ The DOL explains on its website, when it addresses public agencies that are subject to FLSA, that in general a "political subdivision" includes counties, townships, cities, towns, villages, school districts, drainage districts, etc. Consequently, it is our position that a community services districts falls within the definition of a political subdivision.
<https://webapps.dol.gov/elaws/whd/flsa/scope/screen28.asp>

⁴ 29 USC §207(a)(1).

⁵The DOL clarifies on its website that the FLSA has no requirement for double time pay.
https://webapps.dol.gov/elaws/faq/esa/flsa/016.htm?_ga=2.249036615.1776316881.1588805678-810757630.1584657156

⁶ *Martinez v. Combs*, 49 Cal. 4th 35 (2010)

⁷ Cal. Lab. Code § 510

⁸ *Id.*

The Cal. Lab. Code provides for double time whereas the FLSA does not. Courts of California have held, however, that unless a Labor Code statute expressly states that the provisions apply to local government then the default position is that the Labor Code does not apply to local governmental employers and employees.⁹

In *Johnson v. Arvin-Edison Water Storage Dist.* the California Court of Appeal affirmed the trial court's judgment that the district as a public entity was exempt from the wage and hour requirements under which the employee sought to recover.¹⁰ The trial court noted that governmental agencies generally were not included within the general words of a statute absent express words to the contrary and that applying §§ 510, 512, to public agencies would be inconsistent with the legislative intent expressed in several other provisions of the California Labor Code.

Furthermore, 35 years ago the U.S. Supreme Court held that the FLSA governed overtime compensation for employees of local governmental entities such as the District.¹¹ As a result, the FLSA governs overtime pay for the District and any work in excess of 40 hours in a week is paid at time and a half of an employee's regular rate.

District's Policy on Overtime

The District has adopted the overtime policy found in Section 2150.30, et seq. Section 2150.30 indicates that the payment of overtime shall be paid at one and one-half the employee's hourly rate. Section 2150.31 defines overtime as:

- time worked in excess of forty (40) hours in a work week;
- time worked in excess of eight (8) hours in a scheduled workday;¹²
- time worked on a designated holiday; and,
- when called in off duty for emergency repairs or maintenance.

⁹ *California Correctional Peace Officers' Assn. v. State of California* (Cal. App. 1st Dist. Aug. 18, 2010), 188 Cal. App. 4th 646.

¹⁰ *Johnson v. Arvin-Edison Water Storage Dist.*, 174 Cal. App. 4th 729, 95 Cal. Rptr. 3d 53 (2009).

¹¹ *Garcia v. San Antonio Metro. Transit Auth.*, (1985) 469 U.S. 528; and, 29 CFR 2278.400.

¹² FLSA only requires overtime pay when an employee works more than 40 hours a week. If an employee works 5 days a week and 8 hours per day, this comports with FLSA's definition of overtime. If on the other hand an employee works a different schedule, such as a 4/10, under FLSA, an employee is not entitled to overtime. Consequently, this sentence could provide employees that work less than 40 hours a day, but more than 8 hours a day overtime pay. If this occurs, employees are still only entitled to time and a half of their regular rate.

- In all cases, employees who work overtime shall receive overtime pay in accordance with State laws and regulations.

The District's policy is within the purview of the FLSA and not State law. Although there is language in Section 2150.30 that states employee compensation shall be in accord with State laws and regulations, this must be read to mean... "to the extent those laws or regulations control local government". Consequently, whenever an employee works overtime he/she is entitled to time and a half.

Conclusion

District employees are not entitled to double time and a half when they work overtime on a holiday. Neither the Cal. Lab. Code nor the FLSA provide for this type of pay. District employees are instead to be compensated at one and one half of their regular rate as is required by the FLSA.